DOCTOR OF PHILOSOPHY

The Rise of the New Elite
the Evolution of Leadership in Kentucky, c.1770-1800

Smith, Blair M.

Award date:
2013

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Blair M. Smith

PhD Thesis

November, 2013

Contents

Acknowledgements

I would like to take this opportunity to express thanks and acknowledgment to a number of individuals and institutions, without whom this thesis would not have been completed. I would like to begin by expressing my thanks and gratitude to my supervisors. First, Dr Matthew C. Ward, who is to blame for convincing me to pursue the Kentucky frontier as an area for postgraduate study, and has provided encouragement and support throughout this project. Dr Ward also deserves thanks for allowing me the space to find my own path in research and writing, always trusting in the outcome. Secondly, thanks are due to Professor Jim Tomlinson, whose comments and insight helped this thesis take shape. Jim's role as an outsider regarding early America, and ability to see the wood for the trees, made him the perfect sounding board.

On a wider note, my thanks go to everyone in the History Programme at the University of Dundee for their frequent questions regarding my research, and taking an interest in how all the postgraduates are doing. Derek Patrick, John Regan, and Billy Kenefick stand out here for their questions and comments throughout this project. A special mention also goes to Alan Macdonald for frequently agreeing to provide references with minimal notice. Darren Reid, Catriona Paul, and Jonathan De Vries deserve acknowledgement for watching this thesis take shape, proving insightful comments at each stage, and sharing ideas and contacts readily. This project would have been a more lonely undertaking if it were not for their role in the 'Kentucky Mafia.' The support I received from the School of Humanities towards my research was invaluable, and the school office staff deserve the greatest thanks for processing the numerous conference forms and inter-library loans I applied for.

Further afield, all the postgraduates and academic staff involved with the Scottish Association for the Study of the Americas, and the British Group of Early American Historians, deserve acknowledgment and thanks. The feedback I received from the papers presented at these conferences were invaluable, as was their role as a wider academic community. The same acknowledgement is extended to those who provided feedback at British Association of American Studies annual meetings, and other conferences I presented at over the last four years. Northumbria University's Dr David Gleeson deserves

a mention for providing references and taking an early interest in my research. Similarly, special thanks also go to Dr Mark L. Thompson at the University of Groningen for his enthusiastic interest and encouragement, and soliciting my participation for an American Historical Association conference in January 2013. This interest meant a great deal. Conversations had with James Klotter and Russell Harris while visiting Kentucky, helped to refine my arguments and guide me down avenues I had not previously considered. For this, both individuals have my deepest thanks.

In conducting archival research in America and the United Kingdom, my thanks go to the kind and dedicated people whose job it is to preserve the histories of the regions I visited. At the Kentucky Historical Society in Frankfort, thanks go to R. Darrell Meadows, Beth Van Allen, Tony Curtis, and all the Special Collections' librarians for their warm hospitality and assistance in identifying and locating source material. Similar thanks go to A. Glenn Crothers, Jim Holmberg, and Michael Veach, and the staff at the Filson Historical Society in Louisville. Michael Veach deserves further mention for his instruction regarding the finer points of bourbon. Additionally, my thanks go to Matthew Harris and the University of Kentucky Special Collections' library staff for their efforts while I visited Lexington. This includes their speedy response to queries regarding the sources. David Kilpatrick and everyone at the State Department for Libraries and Archives in Frankfort, deserve thanks for helping to locate reels of microfilm for my visit. In Virginia, Frances Pollard and the Special Collections' staff at the Virginia Historical Society in Richmond, could not have been more accommodating to a visiting postgraduate, and were eager to ensure I achieved the most from my visit. Similarly, the staff at the Library of Congress' Manuscript Division made the experience of working there much more enjoyable, while the State Historical Society of Wisconsin in Madison, were generous with their assistance to my queries. Special thanks also go to the library staff at the University of Dundee, and the National Library in Edinburgh, for providing additional assistance in my research in the United Kingdom.

On a personal note, the love and support I have received from my family over the course of this project has been invaluable, and I cannot adequately express my thanks to my parents, Robin and Gail, and my sister Fern. The continued enthusiasm and emotional support will not be forgotten, nor will the endless proofreading as these chapters took form. My extended family of uncles, aunties, cousins, and grandparents have all played their part in supporting me, as have all my friends. Thank you all.

Finally, this thesis could not have been completed without the financial support of a number of institutions who deserve special acknowledgment here. A Kentucky Historical Society scholarly research fellowship in 2010/11, and the Virginia Historical Society Mellon Research Fellowship in 2011, enabled me to conduct extended research trips to archives in Kentucky, Virginia, and Washington D.C. Two awards from the School of Humanities at the University of Dundee, a fee waiver scholarship (2008/9) and an AHRI Bursary (2010/11), were invaluable towards supplementing the cost of these research trips, as was a generous grant from the University of Dundee History Programme. Once more the School of Humanities and History Programme at the University of Dundee deserve thanks. Multiple contributions to the costs of conference attendance over the course of this thesis, allowed me the opportunity to develop my ideas fully. Finally, a Royal Historical Society travel grant made it possible to attend the American Historical Association's annual meeting in January 2013. The support of these institutions was invaluable and made completing this thesis possible.

Author Declaration

I hereby declare that I, Blair M. Smith, am the sole author of this thesis; that unless otherwise stated, all references cited have been consulted by me; that the work of which the thesis is a record has been done by me; and that this thesis has not, in whole or part, been previously accepted for a higher degree.

Signed: 

Date: ……..11.11.2013……

Abstract

Utilising Max Weber's categorisations for legitimate authority, this thesis investigates how Kentucky society was organised from first settlement through to the end of the eighteenth century, and how this society evolved. Weber's categorisations are used to investigate who assumed authority at each stage of development, what made this authority legitimate, and how understandings of legitimacy evolved over time. Central to this investigation are two competing authority figures, that of the frontier 'Big Man' and the more traditional 'elite settler.' This thesis focusses on the efforts of elite settlers to reinstate an acceptance of their leadership as a traditionally-established norm among the community, and the role of the charismatic frontier Big Man. While gentlemen based their authority on landholding and a freedom from manual labour, the frontier Big Man legitimised authority through demonstrations of ability and a capacity for dramatic action. Both methods, however, could only gain legitimacy if they reflected the collective approval of the local community. Legitimate authority reflected the issues and concerns of settlers at a particular time. This thesis will demonstrate how different concepts of authority vied for legitimacy in Kentucky by investigating what the basis of traditionally-established norms were among elite society, the influence of a hunting culture throughout the backcountry, the role of the militia as a force for social organisation, the importance of land and property ownership, and the role of the landscape and architecture. Through this investigation, this thesis will not only account for the presence of men such as Daniel Boone in positions of social authority, but also explain why charismatic Big Men were unable to maintain prominence. Big Men were unable to maintain authority because the collective approval which provided legitimacy was constantly in flux. The local concerns which secured charismatic authority in the 1770s and 1780s did not apply to the Kentucky of the 1790s. Ultimately, as Kentucky evolved the nature of authority evolved with it to reflect the needs of the wider community. That authority was only legitimate so long as leaders maintained the collective approval of those they held authority over.

Note on Referencing

Throughout, this thesis has made extensive use of material from the 1980 microfilm edition of the Draper Manuscript Collection. In all citations featuring this source material a strict reproduction of the manuscript pages has been followed. While some volumes of the manuscript collection are numbered in chronological sequence, most notably John Dabney Shane's notebooks from the *Kentucky Papers*, others, such as *Draper's Notes* and *George Rogers Clark Papers*, are numbered by document. To maintain page accuracy, the appearance of superscripts has been applied to all citations where necessary, in accordance with the manuscript numbering. For example, John Floyd to George Rogers Clark, April 26, 1781, DM51J44-44^{2}. All other manuscript collections have been cited according to the individual archive guidelines.

List of Illustrations

Introduction

Legitimacy and Authority: Kentucky and the Rise of the New Elite

On September 19, 1798, the *Kentucky Gazette* included a notice of lands about to be sold at auction in the coming months. Of those to be auctioned on 'Thursday of the 4th of October next, at the court-house in Lexington,' were three tracts belonging to Daniel Boone. The three tracts amounted to 960 acres of property on which Boone had failed to pay the necessary taxes.[1] This event encapsulated the difficulties Boone was forced to endure over the previous two decades, as he sought to adapt to a changing social landscape. The efforts to evolve and adapt from the charismatic frontier Big Man had resulted in a string of unsuccessful business ventures and a sporadic sixteen year career as a Deputy Surveyor across six counties. In fact, as late as July, 1798, Boone had been conducting surveys as part of his land business. The prominence from which Boone had fallen by the late 1790s is notable. He may have retained an interest in land speculation and surveying, opened taverns, and traded in ginseng, but through constant lawsuits associated with land Boone's finances and reputation had been eroded.[2] When oral historian John Dabney Shane visited William Risk at his Clark County home during the 1840s, the elderly settler related the damage which constant legal accusations could do to a man's reputation. Risk recalled that during a deposition, Boone was caught inventing a survey entry. According to Risk, 'twas said he couldn't find the entry, and leaving his company, made one and dirtied (rubbed) over the fresh marks so as to conceal the fraud.'[3] Upon discovery the entry was disallowed, yet this was one of a multitude of cases involving Boone as a defendant or witness. Boone's business ventures failed to secure the financial independence he expected, and amid the damage to his reputation he was often forced to sell his own claims in order to satisfy debts. An attempt to secure the contract for

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[1] *Kentucky Gazette*, September 19, 1798, 3. Digitised scans of Lexington's *Kentucky Gazette* from 1787 to 1840, can be accessed online from: "Kentuckiana Digital Library," http://kdl.kyvl.org.

[2] Elizabeth A. Perkins, *Border Life: Experience and Memory in the Revolutionary Ohio Valley* (Chapel Hill: The University of North Carolina Press, 1998). 134-35.

[3] John Dabney Shane interview with William Risk, Draper Manuscript Collection 11CC87 (hereafter JDS and DM). Lyman Copeland Draper and State Historical Society of Wisconsin, *Kentucky papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

upgrading the Wilderness Road, which invoked his previous experience with the route, went unanswered by Governor Isaac Shelby. Despite his literary fame, Boone had been unable to maintain a position of social prominence despite his attempts at evolution. By the spring of 1799, having sold the last of his land claims to appease his creditors, Boone prepared to leave Kentucky, migrating with his family to the Spanish territory of Missouri.[4]

Boone was far from alone among frontier Big Men who had fallen from prominence during the previous decade. Many other pioneers followed the legendary frontiersman to Missouri, unable to secure a landed independence in Kentucky, while Simon Kenton was one of a multitude to relocate north of the Ohio River, having experienced similar misfortune with his landholdings. By the beginning of the nineteenth century, Kenton had lost all of his lands through various legal challenges – most notably the *Kenton v. McConnell* ruling from 1794, where the Kentucky Court of Appeals ruled against Kenton's claims under the 1779 land laws – and had spent time in debtors' prison. By migrating to Missouri, Boone himself avoided a warrant issued for his arrest after ignoring a summons from the Fayette County Court in November, 1798. A Sheriff in Mason County attempted to serve the warrant, but found Boone was no longer in his jurisdiction.[5] Many of Boone's and Kenton's pioneer contemporaries struggled as they stayed in an evolving Kentucky. George Bedinger, who had first arrived as a teenager in 1779, experienced numerous military campaigns and sought to establish land claims in the region. Despite his efforts at land speculation and military achievements, by the end of his life Bedinger was reduced to yearly petitions to the Nicholas County Court in an effort to receive a war pension. Boone's former hunting companion, Michael Stoner, also struggled. Aside from some landmarks which carried his name, Stoner had not reached any prominence, maintaining a protracted legal challenge against Richard Henderson for 200 acres he had been promised under the original Transylvania Company agreement from 1775. By 1800,

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[4] Lewis Collins and Richard H. Collins, *Historical Sketches of Kentucky: Embracing Its History, Antiquities, and Natural Curiosities, Geographical, Statistical, and Geological Descriptions; with Anecdotes of Pioneer Life, and More than One Hundred Biographical Sketches of Distinguished Pioneers, Soldiers, Statesmen, Jurists, Lawyers, Divines, Etc*, 2 vols., vol. 2 (Covington: Collins & Co., 1874). 242. Robert Morgan, *Boone: A Biography* (Chapel Hill: Algonquin Books of Chapel Hill, 2008). 385, 92-93.

[5] John Mack Faragher, *Daniel Boone: The Life and Legend of an American Pioneer* (New York: Henry Holt and Company, 1992). 273, 94. David Crouch recalled the reason his father sought to leave Kentucky for the Ohio region was that 'he wanted to live on the gun and the range. As soon as the range was gone he wanted to move.' JDS interview with David Crouch, DM12CC225-226.

the Kentucky which Boone and Kenton left behind in relative anonymity was a vastly different place to the one they encountered during the 1770s.[6]

Craig Thompson Friend opened the discussion of his 2010 publication, *Kentucke's Frontiers*, by outlining the images conjured up by the phrase, 'the American West.' Rather than dwell on images of the Great Plains and the Rockies, Friend argued – quite appropriately – that the Kentucky frontier of the eighteenth century holds just as much significance to American development in its role as the 'First American West.'[7] As a region which began to undergo consistent settlement during the outbreak of revolution, Kentucky evolved alongside, and yet independent of, the Early Republic in many respects. The first state to be admitted from west of the Appalachians in 1792, Kentucky arguably offers the best example to investigate Gregory Nobles' argument that social institutions weakened as settlement pushed west.[8] It is here that the development of traditional Virginian institutions interacted with changing notions of hierarchy forged during the Revolution. This thesis builds upon the existing literature surrounding the Kentucky frontier and the Virginian backcountry during the eighteenth century, to analyse what these social institutions were and how they developed anew in the region. By determining what these institutions were, and how they helped to define a hierarchy in Kentucky, this thesis investigates what constituted authority from approximately 1770 to 1800, how this authority was legitimised, and how leaders were identified. The thirty-year timeframe for this discussion also coincides with Daniel Boone's activities in Kentucky. Boone has attained a prominent place in American history due to his role as an early leader in the region. However, how someone like Boone attained such leadership, what criteria this authority was founded on, and how was it legitimised, are all questions which need clear answers. Acknowledging these issues, this thesis argues that, based on the definitions of Max Weber, authority depends on a set of norms accepted by a society, and that these are subject to change as the society develops. The Kentucky frontier of the late-eighteenth century was an arena where the mechanisms which legitimised status were in flux, needing

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[6] Henry Bedinger – Biography of George Bedinger (copy), DM1A2-65. Between 1832 and 1842, Bedinger submitted yearly petitions to the Nicholas County Court attesting to his military service. He was eventually granted a pension in 1842. Depositions of George Bedinger, DM1A75-122. George Michael Bedinger, Lyman Copeland Draper, and State Historical Society of Wisconsin, *George M. Bedinger papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]). Michael Stoner v. Richard Henderson Papers, 1775-1809, University of Kentucky Special Collections, Lexington, Kentucky (hereafter UKSC).

[7] Craig Thompson Friend, *Kentucke's Frontiers* (Bloomington & Indianapolis: Indiana University Press, 2010). xi-xiii.

[8] Gregory H. Nobles, "Breaking into the Backcountry: New Approaches to the Early American Frontier, 1750-1800," *The William and Mary Quarterly* Vol.46, no. 4 (1989): 642-70.

to be rearticulated at each juncture in order to maintain legitimacy. It was those individuals who were able to secure the collective approval of society, who were able to assume leadership and legitimise their authority. It is on this Kentucky frontier where these contests for collective approval are most clear.

Defining Leadership and Legitimising Authority

This thesis, while primarily concerned with the social organisation of Kentucky between approximately 1770 and the end of the eighteenth century, seeks to build on the understandings of historians such as Aron, Friend, and Perkins, to investigate what made authority legitimate in Kentucky. By uncovering who assumed authority at each stage of development, what made this authority legitimate, and how understandings of what constituted 'legitimacy' evolved over the course of the late-eighteenth century, the dynamics within Kentucky can be better understood. In order to do this a solid understanding of what makes authority legitimate is needed, as well as a way to define the different interpretations by the time Kentucky began to attract settlers. By no means perfect as a sociological understanding of societal evolution, Max Weber's characterisations of legitimate authority do provide a framework with which to begin to understand the development of Kentucky by 1800.[9] While this thesis will not argue that Weber's theories are especially valid for describing the organisation of frontier societies – in fact Weber's generalisation of historical events is open to criticism – his terminology of legitimate authority can be adapted for the frontier. Weber's three classifications for legitimate authority: traditional, charismatic, and legal-rational, all comprise separate principles for legitimation.[10] As Craig Matheson has argued in his critique of Weber, all three are legitimised through convention, sacredness, personal ties, personal qualities and rationality. The key to legitimate authority, whether traditional, charismatic, or legal-rational, is that the claim to authority is treated as valid. The terminology, and the principles which make all three valid, can be rearticulated to define how authority was understood in Kentucky.[11]

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[9] Max Weber, *The Theory of Social and Economic Organisation*, trans. A.R. Henderson and Talcott Parsons (London: William Hodge and Company Ltd., 1947; repr., 1964).

[10] H.H. Gerth and C. Wright Mills, eds., *From Max Weber: Essays in Sociology* (London: Routledge, 1948; reprint, 1991), 245-52.

[11] Craig Matheson, "Weber and the Classification of forms of Legitimacy," *The British Journal of Sociology* 38, no. 2 (1987): 199, 206. Thomas E. Dow Jr., "An Analysis of Weber's Work on Charisma," *The British Journal of Sociology* 29, no. 1 (1978): 91. For specific critiques of Weber's understanding of history see: Martin Albrow, *Max Weber's Construction of Social Theory* (New York: St. Martin's

The three aspects of legitimate authority identified by Weber all contain different principles to make them legitimate. For traditional authority, legitimacy rests on an understanding of the sanctity of immemorial traditions. Obedience is owed to the person who 'occupies the traditionally sanctioned power.'[12] Both the figure of authority, and those bound to obedience under a traditional definition, adhere to the dynamic due to a belief in these immemorial traditions. However, whereas traditional authority rests on a belief in long-established norms, charismatic authority rests exclusively upon the charisma of a specific individual.[13] Part of Weber's definition of the charismatic leader applied supernatural or superhuman powers for setting the charismatic individual apart from ordinary men. The authority of the charismatic leader therefore, lay in the 'personal trust in him and his revelation, his heroism or his exemplary qualities.' Charismatic leaders, and charismatic authority, were legitimised through an ability to inspire followers. This personal charisma remained legitimate so long as the charismatic leader had followers who believed in his ability to lead.[14] Donald McIntosh has argued that charismatic authority is an inherently revolutionary force, in that if successful, it 'breaks through and destroys the major existing institutional forms, and moves society onto new paths and into new directions.'[15] However, it would be more accurate to understand charismatic authority as temporary, a force which can only remain legitimate where established norms are weak or no longer suffice.[16] The final aspect defined by Weber is legal-rational authority. The legal-rational principles for legitimacy are similar to the traditional, in that they both depend on an accepted series of laws or structures to which people owe obedience. For Weber, the main divergence between legal-rational and traditional authority however, is that legal-rational authority is vested in a system of authority and an office, rather than an individual. All three aspects of authority can be reinterpreted, however, to understand the social dynamics of the eighteenth century frontier. Such reinterpretation is necessary when understanding that authority rests with an acceptance by the collective for any definition to be legitimate.[17]

Press, 1990). 78-94. Peter M. Blau, *On the Nature of Organisations* (New York: John Wiley & Sons, 1974). 37-57.

[12] Weber, *Social and Economic Organisation*: 341.

[13] Matheson, "Weber," 206-07.

[14] Weber, *Social and Economic Organisation*: 358-59. Matheson, "Weber," 212-13.

[15] Donald McIntosh, "Weber and Freud: On the Nature and Sources of Authority," *American Sociological Review* 35, no. 5 (1970): 904.

[16] Weber, *Social and Economic Organisation*: 364.

[17] Paul M. Harrison, "Weber's Categories of Authority and Voluntary Associations," *American Sociological Review* 25, no. 2 (1960): 232-37.

Peter Blau has argued that ultimately it is the abilities which enable an authority figure to make substantive contributions to the achievement of the group goals which command respect. For Blau, it is this respect which prompts others to follow, since they benefit from doing so. It is the collective approval of the group that therefore legitimates leadership and the ability to exercise authority.[18] This understanding of collective approval fits well with the interpretation of Weber's charismatic authority, with Weber himself acknowledging the role of collective approval on a wider scale. Echoing the understandings of Chinese philosopher Meng-tse and others, Weber argued that 'if the people cease to recognise the ruler, it is expressly stated that he simply becomes a private citizen.'[19] Authority is only legitimate if those existing within the system believe it to be so. Such authority can only arise in social structures. The principles, or norms, on which collective approval is based, and which form of authority is accepted as legitimate, are subject to change. For Craig Matheson, this traditional authority is regulated by customary norms provided by social institutions. Collective approval is therefore vested in what the community regards as traditional. It is only when these structures are weak, or no longer suffice, that traditional authority loses legitimacy and people turn to charismatic leaders. As Virginian settlement spread westwards during the eighteenth century, the distance from the seat of colonial government would necessitate a change in how new communities were organised and how authority was understood. The rules which governed the customary norms would be weakened in backcountry communities where what defined a hierarchy may not have applied to local needs. Based on the demands and challenges of backcountry development, it is possible to use Weber's three aspects of authority as a template to understand the evolution of authority in Kentucky.[20]

In understanding the social dynamics of the late-eighteenth century Virginian backcountry, and the development of Kentucky settlement, the terminology of Weber can be adapted to describe what constituted legitimate authority, and how this understanding changed over time. The established social hierarchy in Virginia was founded on the precedent of social customs carried from England. Because of this precedent, the control exerted by the landed gentry, how this authority was defined, and their monopoly of the political system, was accepted as legitimate. Virginian gentlemen were in a process of emulating their English counterparts, and because of this emulation, the authority of this

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[18] Peter M. Blau, *Exchange and Power in Social Life* (New York: John Wiley & Sons, Inc., 1964). 200-02.
[19] Gerth and Mills, *From Max Weber*, 249.
[20] Matheson, "Weber," 213. Albrow, *Construction of Social Theory*.

group was accepted as legitimate because it reflected the established norms of society; gentry authority was traditional. What defined gentry status and authority defined the established norms for society in the Tidewater and Piedmont regions of Virginia. However, subscribing and adapting Matheson's arguments, as settlement moved further west the presence of hierarchical institutions weakened as their criteria for legitimacy did not reflect the immediate needs of these communities. What constituted legitimacy in these regions, therefore responded to the needs of the community. When the traditional norms for defining authority were weak, or did not apply, other criteria were able to assert themselves. This alternate authority can be interpreted as charismatic. Diverging from Weber's understanding of legal-rational authority, in the context of this thesis, the legal-rational provides a way to understand official recognition of authority figures, and a way for these figures to justify their claims to authority. Whether through commissions and offices which recognised existing collective approval for charismatic figures, or strengthened the authority of backcountry gentlemen, the legal-rational reinforced the institutions necessary for traditional authority to claim legitimacy. The legal-rational framework allowed for charismatic collective approval to evolve into a traditional model of authority. By understanding Weber's terminology this way, this thesis will define how authority was structured in Kentucky during the late-eighteenth century, how authority was claimed and legitimised, and how this evolved over time.[21]

Localism and the Social Hierarchy

While there have been numerous works which deal with the societal development of Kentucky and Virginia during the eighteenth century, many are guilty of making the same assumptions when discussing hierarchy and the tensions between elite and non-elite settlers. In terms of Virginia's societal development, early works such as Thomas Perkins Abernathy's *Three Virginia Frontiers*, and Charles Sydnor's *Gentlemen Freeholders*, present an image of Virginian society that follows a traditional social stratification among all social classes that was maintained as settlement expanded westward. This traditional view places

[21] For examples of the attempts to emulate the English landed gentry in Virginia, and English precedent, see: Rhys Isaac, *The Transformation of Virginia, 1740-1790* (New York: W.W. Norton, 1988). T.H. Breen, *Tobacco Culture: The Mentality of the Great Tidewater Planters on the Eve of Revolution* (Princeton, NJ: Princeton University Press, 1985). Trevor Burnard, *Creole Gentlemen: The Maryland Elite, 1691-1776* (New York and London: Routledge, 2002). Julie Flavell, *When London was Capital of America* (New Haven: Yale University Press, 2010). Michal J. Rozbicki, *The Complete Colonial Gentleman: Cultural Legitimacy in Plantation America* (Charlottesville: University Press of Virginia, 1998). Matheson, "Weber," 213.

the emphasis on the leadership of Virginian elites to the development of the backcountry.[22] Such a traditional view of Virginian development has been difficult to shake off, and continues to be present in more recent works, such as David Hackett Fischer and James Kelly's *Bound Away*. For Fischer, especially, such an approach is somewhat surprising considering his argument for regional cultures in *Albion's Seed*, particularly in the case of Virginia. Even Thomas Clark, whose *History of Kentucky* has gone through multiple revisions since its original 1937 publication, rarely strayed from a narrative concerned with title and status, despite providing greater focus on non-political developments.[23] These more traditional works display a reverence for institutions, and in terms of discussing Virginian development in the eighteenth century, these institutions continue to dominate the historiography. This approach has been reflected by Rhys Isaac when arguing for the impact religious revivals had on political institutions and the interaction of a social hierarchy in Virginia. Isaac's Virginia contained clear social distinctions, which dictated how one dressed and experienced the various social institutions of the region.[24] These political institutions, along with the militia, formed two of Michael McDonnell's 'pillars of gentility' in Virginia. Alternatively, this recognisable hierarchy also forms much of the focus in Kathleen Brown's *Good Wives, Nasty Wenches, & Anxious Patriarchs*, to argue for the elite approach to gender in influencing Virginia's social hierarchy. For Brown, the basis of social authority wielded by Virginian gentlemen, emanated from their patriarchal control over their households.[25] The emulation of such institutions, and genteel society, has also framed the discussions of Virginia's backcountry.

While Gregory Nobles argued that the standards of the gentry did not immediately apply to the eighteenth century backcountry, there has been a tendency to link the development of the region to Virginia's wider social hierarchy.[26] The influence of Scots-Irish settlement throughout the Shenandoah Valley has been well documented, especially in the

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[22] Thomas Perkins Abernathy, *Three Virginia Frontiers* (Baton Rouge: Louisiana State University Press, 1940). Charles S. Sydnor, *Gentlemen Freeholders: Political Practices in Washington's Virginia* (Chapel Hill: The University of North Carolina Press, 1952).

[23] David Hackett Fischer and James C. Kelly, *Bound Away: Virginia and the Westward Movement* (Charlottesville: University Press of Virginia, 2000). David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York and Oxford: Oxford University Press, 1989). 207-418. Thomas D. Clark, *A History of Kentucky* (Ashland, KY: The Jesse Stuart Foundation, 1988). This traditional approach to regional development is also expressed by Clark in, *Frontier America: The Story of Westward Movement* (New York: Charles Scribner's Sons, 1959).

[24] Isaac, *Transformation of Virginia*.

[25] Michael A. McDonnell, *The Politics of War: Race, Class, and Conflict in Revolutionary Virginia* (Chapel Hill: University of North Carolina Press, 2007). Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: The University of North Carolina Press, 1996). 322-24.

[26] Nobles, "Breaking into the Backcountry."

role that Presbyterianism had in this region, resulting in a much needed re-appraisal of Virginian attitudes for office-holding. Warren Hofstra, Robert Mitchell, and Albert Tillson are among those to discuss these social dynamics of the Virginian backcountry, with Hofstra in particular, discussing how the inclusion of Scots-Irish and Germanic settlers impacted Virginian institutions.[27] Hofstra's *The Planting of New Virginia*, and Mitchell's *Commercialism and Frontier*, however, place an emphasis on the role of community centres and market-places as a way of connecting the backcountry with the rest of Virginia. Alternatively, Tillson has shown the social dynamics, and the interaction of gentry and common settlers, through the militia and the political arena.[28] While these works do a great deal to stress the distinctiveness of Virginia's backcountry, and lay the foundations for the dynamics of continual westward expansion, the discussions of the social stratification have raised new issues. Tillson in particular, presents a society where the hierarchy conforms to the more established areas of Virginia. By focussing on the desire of western elites to emulate their eastern counterparts, these works have continued a vision of hierarchy based on English precedent. The impact of the Revolution, however, changed such understandings, and raised significant questions over how status was defined through the second-half of the eighteenth century, and where the authority of elite gentlemen lay.

The American colonies may have never had 'an hereditary nobility,' yet, in terms of the historiography of the eighteenth century, this has not stopped portrayals of elites emulating the English landed gentry.[29] This approach has not been limited to specific regions, although it is certainly clear in many examples of Virginian historiography. In terms of a colonial view, Michal Rozbicki certainly takes this approach when comparing colonial elites to the gentry of eighteenth-century Britain. Comparisons between the colonial elites and the English gentry are also apparent when analysing the authority wielded by Virginia gentlemen in particular.[30] However, this approach relies on accepting that authority and social status are based on traditional notions of aristocracy and hierarchy. The specific

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[27] Warren R. Hofstra, "The Virginia Backcountry in the Eighteenth Century: The Question of Origins and the Issue of Outcomes," *Virginia Magazine of History and Biography* 101(1993). "Private Dwellings, Public Ways, and the Landscape of Early Rural Capitalism in Virginia's Shenandoah Valley," *Perspectives in Vernacular Architecture* 5, no. Gender, Class, and Shelter (1995).

[28] Robert D. Mitchell, *Commercialism and Frontier: Perspectives on the Early Shenandoah Valley* (Charlottesville: University Press of Virginia, 1977). Warren R. Hofstra, *The Planting of New Virginia: Settlement and Landscape in the Shenandoah Valley* (Baltimore: The Johns Hopkins University Press, 2004). Albert H. Tillson Jr., *Gentry and Common Folk: Political Culture on a Virginia Frontier 1740-1789* (Lexington: The University Press of Kentucky, 1991). See also: Warren R. and Robert D. Mitchell Hofstra, "Town and Country in Backcountry Virginia: Winchester and the Shenandoah Valley, 1730-1800," *The Journal of Southern History* 59, no. 4 (1993).

[29] Stephen Mennell, *The American Civilizing Process* (Cambridge Polity Press, 2007). 81.

[30] Rozbicki, *The Complete Colonial Gentleman*: 30, 139.

criteria for such gentlemanly status is discussed at greater length in chapter one, but this traditional authority lay in an accepted belief of legal-rational legitimacy vested in the existing political structures of Britain. The King and his appointed officers, bestowed social authority on gentlemen, legitimising their status, and therefore the deference of ordinary settlers. However, continuing to define the legitimacy of traditional authority in these terms detracts from the significance of growing social forces that would heavily influence how Virginian gentlemen legitimised their status and their position as leaders. The outbreak of revolution in the 1770s had a tremendous impact on the social structures of colonial America challenged the legitimacy of the British monarchy, and forced gentlemen to rearticulate how they legitimised their authority and leadership. In short, the Revolution changed what defined the essence of traditional.

Holly Brewer may have argued that the political and social concepts of authority in eighteenth-century America had been in flux since the sixteenth century, but the Revolution itself did have a significant – almost radical – impact in how authority and leadership was legitimised, and a social hierarchy maintained.[31] Gordon Wood's *Radicalism of the American Revolution* certainly stressed the impact of the Revolution in radically altering the existing structures of authority and identity. By arguing that social hierarchy was based on notions of patriarchal dependence and patronage, Wood presented the legitimacy of the traditional stemming from the British Crown. With these concepts challenged by the Revolution, how leadership and authority were legitimised is a valid question.[32] The Revolution rejected the previous system for one which placed authority with the people, and what made the Revolution radical was this acceptance of egalitarian principles. In order for colonial elites to maintain their social leadership and authority, they had to gain the support of the wider population, and they could no longer rely on the traditional deference they had previous received. This argument certainly has credence when discussing the Virginian gentry's support for the Revolution, as by supporting the movement, elites were responding to the will of the collective. The influence of egalitarianism challenged the existing hierarchy, with the militia in particular an arena where ordinary settlers could voice their concerns and express collective approval.[33] By showing the role of the Revolution in altering the basis of hierarchy in America, these works touch on an essential theory regarding the legitimacy of authority; that all leadership

[31] Holly Brewer, *By Birth or Consent: Children, Law, and the Anglo-American Revolution in Authority* (Chapel Hill: University of North Carolina Press, 2005). 1-16.
[32] Gordon S. Wood, *The Radicalism of the American Revolution* (New York: Random House, 1991).
[33] Woody Holton, *Forced Founders: Indians, Debtors, & the Making of the American Revolution in Virginia* (Chapel Hill: University of North Carolina Press, 1999). McDonnell, *The Politics of War*.

and authority is only legitimate so long as it is accepted by society. The Revolution offered a rejection of traditional structures, and can be better understood as the recognition of the collective approval which legitimises authority. The traditional authority structure was accepted as legitimate until it no longer had the collective approval of settlers to maintain legitimacy.[34]

If authority is vested in the approval of the collective, then traditional structures are better defined as customary, or established, norms accepted by society as fulfilling their needs. Therefore, what made the Revolution truly radical was not the rejection of traditional structures, but rather how these structures were rearticulated in order to maintain their presence as customary norms. In some cases this resulted in rearticulating the nature of republicanism.[35] Joyce Appleby, especially, has argued that classical republicanism had to be redefined in order to reflect the changes enforced by the Revolution. Much of this is addressed through the changing nature of masculine identity and the need for 'Others' to define oneself against, but such arguments highlight attempts to maintain gentry authority as a customary norm. By directly campaigning for political offices, appealing to notions of bravery and duty through the militia, and fostering a sense of consultation, elite men could legitimise their positions of authority and leadership. The impact of the Revolution required that the gentry had to continually appeal for collective approval, and maintain a belief in their authority as a customary norm.[36] However, while such investigations of national identity, and the social and economic changes introduced by the Revolution are important, there are issues with such an approach. The aforementioned works are principally concerned with the impact of national events, and as a result they largely ignore local factors which weighed heavily on how collective approval was manifested and secured. Particularly in the backcountry, local issues resulted in a need to secure collective approval for elites, well before the outbreak of Revolution, and elites were unable to concern themselves with national issues if they had not first secured their positions locally. The Revolution in the backcountry had a very different impact on the nature of authority and leadership. Patrick Griffin, Jack Sosin, and William Nester, in discussing the Revolution on the Kentucky and Ohio Valley frontier, highlight the different

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[34] Such a view echoes Thomas Hobbes' arguments regarding the obligations of sovereigns and subjects. Thomas Hobbes, *Leviathan* (London: Andrew Crooke, 1651; repr., 1996). Chapter 21.

[35] Joyce O. Appleby, *Capitalism and a New Social Order: The Republican Vision of the 1790s* (New York: New York University Press, 1984). 3-4. *Inheriting the Revolution: The First Generation of Americans* (Cambridge: Harvard University Press, 2000). 18-19.

[36] Carroll Smith-Rosenberg, *This Violent Empire: The Birth of an American National Identity* (Chapel Hill: The University of North Carolina Press, 2010). 1-22.

nature of the conflict, where the terms 'Loyalist' and 'Patriot,' did not have the same meaning as identifiable 'Others.'[37]

Despite the focus on the frontier in the works of Griffin, Sosin, and Nester, their discussion of the impact of the Revolution does raise an issue about the role of hierarchy, leadership, and authority in the region. Despite claims that the backcountry was more egalitarian from the outset, the dynamics of authority in the Virginian backcountry, and in Kentucky, have been primarily discussed in relation to political, legal, and economic issues.[38] The Regulator movements of the 1760s, and the Whiskey Rebellion of the 1790s, provide numerous examples of local opposition to elite authority, though they are often discussed in national contexts. Mary K. Bonsteel-Tachau's insightful article on the Whiskey Rebellion in Kentucky, especially, shows how a focus on national issues can often overlook the responses dictated by local concerns.[39] In a similar manner, many of the focussed works on Kentucky's institutions and legal system concern the movement towards statehood in 1792, and the leadership of elite settlers. Patricia Watlington's *The Partisan Spirit*, and Lowell Harrison's *Kentucky's Road to Statehood*, are two examples of works concerned primarily with the leadership demonstrated by elite citizens. Bonsteel-Tachau shows how the influence of pioneers and a sense of egalitarianism became evident in a change in campaigning tactics, as part of an elite effort to maintain their monopoly of political office.[40] Since the 1980s however, social histories of Virginia and the backcountry during the eighteenth century have done more to take the role of non-elite settlers into account, and their contributions to society.[41] Recent Kentucky histories also, by taking into account the specific challenges for forming communities in unsettled regions, have provided a more balanced account of the relationships between gentry and ordinary settlers.

More recent examples of Kentucky's historiography, such as Craig Thompson Friend's *Along the Maysville Road*, Stephen Aron's *How the West Was Lost*, and Elizabeth Perkins' *Border Life*, portray the social hierarchy as in flux, something which has to be re-

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[37] Patrick Griffin, *American Leviathan: Empire, Nation, and Revolutionary Frontier* (New York: Hill and Wang, 2007). Jack M. Sosin, *The Revolutionary Frontier 1763-1783* (New York: Holt, Rinehart and Winston, 1967). William R. Nester, *The Frontier War for American Independence* (Mechanicsburg, PA: Stackpole Books, 2004).

[38] Frederick Jackson Turner, "The Significance of the Frontier in American History," in *The Frontier in American History*, ed. Frederick Jackson Turner (New York: Henry Holt and Company, 1920).

[39] Mary K. Bonsteel Tachau, "The Whiskey Rebellion in Kentucky: The Forgotten Episode of Civil Disobedience," *The Journal of the Early Republic* 2, no. 3 (1982).

[40] Patricia Watlington, *The Partisan Spirit: Kentucky Politics, 1779-1792* (New York: Atheneum, 1972). Lowell H. Harrison, *Kentucky's Road to Statehood* (Lexington: The University Press of Kentucky, 1992). Mary K. Bonsteel Tachau, *Federal Courts in the Early Republic: Kentucky, 1789-1816* (Princeton: Princeton University Press, 1978).

[41] Isaac, *Transformation of Virginia*. Hofstra, *Planting of New Virginia*.

established in these new western communities. This view is important in order to understand how authority is legitimised in this region, particularly as social institutions became weaker, as settlement moved into the backcountry. However, the major flaw in all of these works is that while acknowledging that pioneer ideals differ greatly from elite ideals – specifically relating to understandings of masculinity – there is little specific analysis of how authority evolved in Kentucky, and what analysis there is does not adequately account for the changes which developed over time. Both Aron and Friend, while especially good at arguing how gentry forces were able to assert their social dominance as Kentucky became increasingly settled and developed, neglect to state what made leadership legitimate and how it evolved over time. In these instances, gentry dominance is seen as almost inevitable, and the rise of non-gentry figures, such as Daniel Boone, is portrayed as a temporary phase. However, it is in these 'temporary phases' where discussions of what made authority and leadership legitimate, and where legitimacy was located, can take place.[42] Works which discuss the understandings and interactions of masculine identity however, are one area where the historiography of Kentucky does consider the need for local support for leaders and the establishment of legitimacy through collective approval.

Understandings of masculinity and masculine identity are, in the context of Kentucky historiography, often concerned with definitions with which to construct a hierarchy. Mark Kann's arguments regarding the national impact of the Revolution, for example, focus on a 'grammar of manhood' in order to investigate the customary norms for ordering a social hierarchy, a masculine stereotype. Kann examined how the republican ideals fostered by the 1770s interacted with ideals of masculinity. He argued that only those who adhered to a specific understanding of manhood could legitimately benefit from citizenship in the new nation.[43] Perspectives regarding masculine identity, such as this, relative to the creation of a hierarchy and the fostering of a sense of customary norms, are clearly articulated in works concerning the militia in Kentucky. Harry Laver has demonstrated the importance of the militia as a social organisation, and the ways in which

[42] Craig Thompson Friend, *Along The Maysville Road: The Early Republic in the Trans-Appalachian West* (Knoxville: The University of Tennessee Press, 2005). Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore and London: The Johns Hopkins University Press, 1996). Perkins, *Border Life*.

[43] Mark E. Kann, *A Republic of Men; The American Founders, Gendered Language, and Patriarchal Politics* (New York: New York University Press, 1998). 33. Joe L. Dubbert, *A Man's Place: Masculinity in Transition* (Englewood Cliffs: Prentice-Hall Inc., 1979). 5.

militia served was continually reinvented as an arena for manhood.[44] In this approach, Laver echoes the wider arguments of Nancy Hartstock and Mary Ann Clawson regarding masculinity and the role of military/war service.[45] With western settlement encouraged as abundant land guaranteed liberty and security, the militia was especially important in Kentucky. Responding to the various defensive necessities facing early settlers, the militia was the first clear social organisation established in many settlements. It was here where traditional understandings of manhood – centring on leadership and authority based on hegemonic norms associated with landholding – clashed with alternative forms of masculinity which stressed demonstrations of bravery and ability.[46]

This alternative understanding of masculinity developed out of the particular conditions of the backcountry, and suited itself to the demands of Kentucky settlement. While elite masculinity may have sought to assert hegemonic social norms, 'charismatic masculinity' developed out of a growing hunting culture throughout backcountry regions of Virginia and Pennsylvania, where the tests of manhood were manifested in a very different manner to more traditional concepts.[47] Elliott Gorn has highlighted the different concepts of masculinity on the frontier by focussing on contests and fighting. For Gorn, fighting stemmed from an 'honorific society' in which men defended their honour in accordance with their social standing. All men of honour shared 'freedom,' yet while gentlemen duelled, the common man engaged in rough-and-tumble fighting, 'a botched version of genteel combat' in keeping with backcountry ideals of masculine identity.[48] Hunting

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[44] Harry S. Laver, "Refuge of Manhood: Masculinity and the Militia Experience in Kentucky," in *Southern Manhood: Perspectives on Masculinity in the Old South*, ed. Craig Thompson Friend and Lorri Glover (Athens: The University of Georgia Press, 2004), 1-21. "Rethinking the Social Role of the Militia: Community-Building in Antebellum Kentucky," *The Journal of Southern History* Vol.68, no. 4 (2002): 777-816. *Citizens More Than Soldiers: The Kentucky Militia and Society in the Early Republic* (Lincoln and London: University of Nebraska Press, 2007).

[45] Nancy C.M. Hartstock, "Masculinity, Heroism, and the Making of War," in *Rocking the Ship of State: Toward a Feminist Peace Politics*, ed. Adrienne Harris and Ynestra King (London: Westview Press, 1989), 133-52. Mary Ann Clawson, *Constructing Brotherhood: Class, Gender, and Fraternalism* (Princeton: Princeton University Press, 1989).

[46] Kann, *A Republic of Men*: 36, 96.

[47] This concept of hegemonic masculinity stems from a series of assumed doctrines, or rules, which frame the accepted criteria for inclusion in a fraternal hierarchy. In order for such a concept to be asserted an acceptance of these hierarchal frameworks had to be fostered as customary norms of manhood. Mark Kann in particular, has utilised this concept as part of his 'grammar of manhood,' which consists of 'hegemonic norms and rules meant to move the hearts of men. Its main message was that a male worthy of self-esteem, social respect, and civic duty achieved manly independence, family status, and governance of women by fulfilling intergenerational obligations, fixing a settled place for himself and his heirs, filtering into fraternal society, recognising and deferring to worthy leaders, and helping to father a new nation.' Clawson, *Constructing Brotherhood*: 11. Dubbert, *A Man's Place*: 2. Kann, *A Republic of Men*: 50-51. Weber, *Social and Economic Organisation*: 346.

[48] Elliott J. Gorn, "'Gouge and Bite, Pull Hair and Scratch': The Social Significance of Fighting in the Southern Backcountry," *The American Historical Review* 90, no. 1 (1985): 18-43.

performed an essential subsistence service for many on the frontier, yet Jefferson looked down upon it, regarding hunting as an occupation of Indians. In large part, the understanding of charismatic masculinity prevalent in Kentucky can be regarded as a fear of the 'backsliding' which would occur through Indian contact. Therefore, the historiography surrounding the changing role of the militia can interpret such social institutions as a way of not only fostering an acceptance of hegemonic authority as a customary norm, but an attempt to bring backwoodsmen into these norms.[49] However, while these arguments are valid and do distinguish between the different understandings of manhood which were dictated by local issues, there is little done to question what made these interpretations legitimate and how they influenced authority. While acknowledging that different interpretations of masculine identity existed on the frontier, the majority of historiographical works concerning Kentucky's development overlook an argument made by David Gilmore. Manhood, regardless of the interpretation, is a restricted status, one which can only be achieved through testing and careful instruction. This concept of manhood as a restricted status has been elaborated and amended throughout this thesis which argues that customary norms in Kentucky were fluid and contributed greatly to specific understandings of leadership and legitimate authority.[50]

Gilmore distinguishes such an understanding of manhood as a restricted status by articulating a 'Big Man' concept. Basing his definitions on observations of a particular New Guinea aboriginal society, Gilmore argued the importance of the Big Man as a talisman for community organisation and masculine instruction. For Gilmore, through hands-on leadership the Big Man did more than fend off enemies, he also exemplified 'a warrior ideal for impressionable boys and aspiring youths.' The Big Man 'established an artificial social cohesion for the people of his village or territorial unit.'[51] While Gilmore tied his concept of the Big Man to a military and hunting genre, it is a term that has previously been applied to discussions of Kentucky settlement. Elizabeth Perkins used the Big Man terminology to show the charismatic forms of authority which backcountry settlers responded to, and again closely linked this to a militia background. However, where this thesis differs is, rather than simply utilising the appropriate terms, it will explore what made charismatic Big

[49] Thomas Jefferson, *Notes on the State of Virginia. With and Appendix* (Boston: David Carlisle, 1801). 243. Kann, *A Republic of Men*: 40-45, 65-66.
[50] David D. Gilmore, *Manhood in the Making: Cultural Concepts of Masculinity* (New Haven: Yale University Press, 1990).
[51] Ibid., 101-06.

Men legitimate authority figures in Kentucky, and the status of their presence as this society developed.[52]

The Evolution of Authority and the Rise of the New Elite

In order to discuss and understand the authority structure of Kentucky, a clear definition of the traditional and charismatic is needed. The first chapter of this thesis therefore provides a definition of gentry culture in Virginia during the eighteenth century, and how this can be understood as 'traditional.' The purpose of this chapter will be to put in place a clear definition of traditional authority as expressed by the growth of the Virginia gentry during the eighteenth century. By articulating the criteria used by Virginia gentlemen to emulate their English counterparts and distinguish their status from non-elites, it is possible to form a definition of traditional authority as a male-dominated hierarchy utilising paternalistic language and patriarchal tactics.[53] The acceptance of these criteria to legitimise authority will further define the traditional for Kentucky, and will also articulate which customary norms needed to be reinforced in Kentucky to legitimise the traditional. Criteria such as land and property ownership, office-holding, and political participation played substantial roles to buttress concepts of status, gentility, masculine identity, and authority during the eighteenth century. Defining the social stratification of the Virginian social hierarchy and the acceptance of gentry authority utilises apt terminology. For Weber, all authority is ultimately patriarchal; therefore, in this context and understanding authority is linked to masculine identity.[54] In order to fully define the authority of Virginian gentility as traditional, a clear understanding of alternative forms of authority and masculine identity is also needed. Chapter two continues this discussion of traditional authority by investigating the 'acceptable occupations' which allowed gentlemen to demonstrate their social status. These occupations allowed Virginian gentlemen to further define themselves against non-gentry and, particularly in the case of surveying and the law, provided the financial means and expertise to articulate the process of how landholding in particular was legitimised, and as a result social standing and authority. There are a number of men who exemplify traditional concepts of authority as Kentucky developed. Throughout this thesis, men such as William Christian, Caleb Wallace, David Meade, Richard Callaway, John Floyd, and John Breckinridge will provide examples of men who claimed authority based on traditional

[52] Perkins, *Border Life*: 132-41.
[53] Brown, *Good Wives, Nasty Wenches*: 322-24.
[54] Weber, *Social and Economic Organisation*: 346.

societal roles. All of these men, and others, were involved in land speculation, and many maintained familial and business connections with prominent Virginian planters.

Having outlined the criteria necessary for gentility and status in the Virginia social hierarchy, and their traditional basis as customary norms, chapter three moves the discussion towards the alternative – charismatic authority. This chapter explores the criteria necessary to legitimise a charismatic interpretation of authority in the backcountry, and how the necessary collective approval was obtained. Building on an understanding that gentry authority weakened in the backcountry, due to the absence of established institutions, chapter three focusses on the growth of hunting among backcountry communities and its cultural importance to local needs. Such a culture contributed to criteria for understanding masculine identity, necessitating continual demonstrations of skill and bravery, rather than property ownership, as a way of gaining collective approval. As a result, the demands of frontier hunting articulate the rise of the frontier 'Big Man' as the masculine ideal, and as a legitimate charismatic authority figure. Unlike gentlemen, the collective approval of the Big Man was obtained and legitimised through demonstrations of ability, rather than any notions of traditional norms. Significant characters in Kentucky's development, such as Daniel Boone, Simon Kenton, and Robert Patterson, all owed much of their early social standing to success as hunters. Boone, Kenton, and other Big Men encapsulated the charismatic interpretation of authority, and their legitimacy as authority figures will be continually referenced throughout this thesis as the criteria for collective approval evolved. Having defined the criteria necessary to secure collective approval and legitimise traditional and charismatic authority, how both understandings interacted in Kentucky provides the focus of the remaining chapters. It was the interaction of traditional and charismatic understandings of authority which articulated the customary norms of this society.

Because charismatic authority can provide a greater response to the immediate needs of a new community, chapter four will analyse how the defensive needs of Kentucky during its first decade influenced legitimacy. Because collective approval was founded on demonstrations of skill and bravery – inspiring confidence in others – the construction of the charismatic Big Man began to become viable in the shape of local military commanders in opposition to traditionally appointed gentlemen. The militia, because of its hierarchical organisation, offers a good example of the conflicting forms of authority vying for legitimacy in Kentucky. Commissions provided legal-rational authority for both the traditional and the charismatic. The commissions provided to charismatic Big Men provided

recognition for their collective approval, founded on a belief in their abilities. Despite the opportunity for charismatic authority to assert itself, the militia in Kentucky, as the first recognisable social institution, also offered an opportunity to define the changing interpretations of status. Officer appointments may have responded to local demands and recognised the popularity of Big Men, but the process of organisation allowed for the gradual implementation of traditional norms. As the society settled and developed, traditional hierarchical norms could be gradually implemented and accepted through militia service. Consequently, chapter five will further an investigation of these traditional/customary norms, discussing the concepts of landownership, independence, and political participation in the formation of an 'established order' of traditional elites. Out-with the defensive needs of Kentucky, continuing to stress the importance of land and property ownership to understandings of independence allowed elite men to legitimately monopolise positions of authority through the acceptance of traditional social norms. Chapter six will subsequently focus the discussion on the implementation of this political monopoly by the 'established order,' and how authority was used to shape the course of Kentucky's development by the end of the eighteenth century. By shaping an understanding of who could hold office and exercise authority the 'established order' could use their authority to shape the landscape and infrastructure in ways which demonstrated their 'natural aristocracy.' Formatting the discussion in such a way highlights the basis for legitimate authority in Kentucky throughout the period of concern, and how authority developed and evolved over time. By the end of the eighteenth century the charismatic Big Man was not excluded from authority, but had to increasingly adhere to traditional/customary norms in order to have his authority regarded as legitimate. As such, a clear definition of what constitutes traditional authority for a Kentucky context is required. What this thesis then demonstrates is that authority on Kentucky's eighteenth-century frontier was not a fixed concept. The processes for forming a social hierarchy and legitimising authority, was subject to the collective approval of said communities. At each stage of Kentucky's development therefore, legitimate authority expressed a collective approval, or acceptance, of the settlers themselves.

Chapter One

Defining a Gentleman: Traditional Leadership in Eighteenth Century Virginia

In *The American Civilising Process*, Stephen Mennell discussed the importance of the American colonies, as a singular entity, never having an hereditary nobility. While regarding the colonies as a singular entity during the seventeenth and eighteenth centuries is problematic, the absence of hereditary nobility does not mean the absence of elite domination of social hierarchies.[1] What was more important was not that status was hereditary under the same definitions as in Europe, but that the status and authority claimed by elites was accepted as legitimate by society. Such concepts were particularly important within Virginian society during this period. Before the development of leadership and authority in Kentucky can be considered fully, it is essential to develop a clear characterisation of how the Virginia gentry of the eighteenth century defined leadership and authority, and how this definition was accepted by ordinary settlers. Traditional authority rests on the 'established belief in the sanctity of immemorial traditions and the legitimacy of the status of those exercising authority under them.' Those exercising such authority are therefore 'designated according to traditionally transmitted rule,' with the object of obedience being the 'personal authority of the individual which he enjoys by virtue of his traditional status.'[2] Yet, what truly legitimises authority, and the criteria used to define it, rests in the acceptance of it as a traditionally-established, or customary, norm within society. Virginia may not have had an hereditary nobility, but the authority exercised by elites was based on established norms. Therefore, can the authority defined and wielded by Virginian elites during the eighteenth century be accurately described as 'traditional'? If so, what were the key components to this authority, and would such components shape the understanding of authority and hierarchy in Kentucky as traditionally-established norms?

Arguing for America's lack of a nobility echoes a fairly traditional view of American history, and would not necessarily be out of place in nineteenth and early twentieth

[1] Stephen Mennell, *The American Civilizing Process* (Cambridge Polity Press, 2007). 81-83.
[2] Max Weber, *The Theory of Social and Economic Organisation*, trans. A.R. Henderson and Talcott Parsons (London: William Hodge and Company Ltd., 1947; repr., 1964). 328, 41-58.

century works. However, versions of the traditional view continue, and seek to stress a desire for the recreation of English social norms from the outset of Virginian settlement. As a motivating factor behind the rise of an elite class of gentry developing during the eighteenth century, a desire to emulate and be accepted by, the English landed classes provides the basis for the normative values of Virginian society. It is in this 'idealised image of English society and culture' where such customary norms can be found and accepted by the community. Because the emergent elite Virginian families sought to establish a colonial tradition parallel to that of England, any authority they claimed was accepted as legitimate, based on existing norms. It was traditional.[3] This social hierarchy that the emerging Virginian elite sought to emulate was defined by a patriarchal understanding of hierarchy characterised by larger landowners who dominated their county parishes. The gentry dominance of the parishes, where they controlled up to two-thirds of the land, and social relations were determined by accepted codes. However, while gentility in England was developed and tailored exclusively for the elite, the century after 1660 saw upward mobility being more open than is normally assumed. Men at all levels had the potential to rise towards the next status group, providing they met the criteria for elevation: the criteria for status depended on manners, education, and money, and not necessarily pedigree.[4] Regardless of how open the social hierarchy was in eighteenth century England, or how frequent the cases of upward mobility, the desire to create a Virginian version would have been appealing to any prospective planter with ambition.[5]

There remains a temptation to focus closely on the ways in which the Virginian elites attempted to emulate the English landed gentry of the eighteenth century. However, the specific criteria by which Virginian elites made themselves distinct from non-elites is equally important, particularly when considering definitions of traditional authority. The ways in which the dominant planters secured and defined their status throughout the eighteenth century provides an explanation for how one became a gentleman in this society, as well as how one displayed status and authority over others. Definitions of what characterised a Virginian gentleman in this period are varied, however, and encompass a

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[3] Thomas Perkins Abernathy, *Three Virginia Frontiers* (Baton Rouge: Louisiana State University Press, 1940). 2. David Hackett Fischer and James C. Kelly, *Bound Away: Virginia and the Westward Movement* (Charlottesville: University Press of Virginia, 2000). 22, 34.

[4] Jack P. Greene, *Pursuits of Happiness: The Social Development of Early Modern British Colonies and the Formation of American Culture* (Chapel Hill: The University of North Carolina Press, 1988). 107.

[5] Ibid., 30, 105-07. Michal J. Rozbicki, *The Complete Colonial Gentleman: Cultural Legitimacy in Plantation America* (Charlottesville: University Press of Virginia, 1998). 30. T.H. Breen, "Horses and Gentlemen: The Cultural Significance of Gambling among the Gentry of Virginia," *The William and Mary Quarterly* 34, no. 2 (1977).

number of different factors. The most commonly agreed factors in defining membership in the gentry ranks centre on the ownership of two commodities: land – which holds with notions of a landed gentry – and slaves.[6] Numerous other characteristics can also define the Virginian gentry alongside the ownership of land and slaves, however. Legitimate authority in eighteenth-century Virginia derived from five sources. These included: landownership and slaveholding, control over the sexual access to women, formal participation in political life, and the ability to determine the symbols of power and the access to them.[7] However, to this list of criteria can also be added religion – participation in a parish vestry was needed for political advancement – and, arguably most importantly, access to cash or credit. Therefore, when defining the key criteria of a Virginian gentleman during the eighteenth century, the role of land and slave ownership needs to include discussions on the importance of religious and political participation, as well as the displays of personal wealth and access to credit as important 'pillars' of traditional gentility.[8]

Land, Property, and Patriarchy

Warren Hofstra has argued that a central characteristic of Virginia's history has been 'the story of the engrossment of land in larger and larger quantities,' a characteristic which is exemplified by the actions of a small group of social and political elites.[9] That the size of this group has been estimated as 5 to 10 per cent of Virginia's free population through the century attests to the importance of large landownership in defining eighteenth century gentility.[10] George Washington certainly inherited the belief that land was of immense importance to consolidating a position of gentility, and that the 'prospects of getting good lands,' could provide profits and enhance reputation.[11] However, with the acquisition of acreage such a significant goal for gentry classification, the size of such acreage would have to be vast enough to dwarf the holdings of Virginia's yeomen farmers and freemen, thereby

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[6] David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York and Oxford: Oxford University Press, 1989). 222. Warren R. Hofstra, "'The Extension of His Majesties Dominions': The Virginia Backcountry and the Reconfigiration of Imperial Forces," *The Journal of American History* 84, no. 4 (1998): 1282-83.

[7] Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: The University of North Carolina Press, 1996). 323.

[8] Ibid. Christopher E. Hendricks, *The Backcountry Towns of Colonial Virginia* (Knoxville: The University of Tennessee Press, 2006). 72. Michael A. McDonnell, *The Politics of War: Race, Class, and Conflict in Revolutionary Virginia* (Chapel Hill: University of North Carolina Press, 2007). 37.

[9] Hofstra, "'Extension of His Majesties Dominions'," 1282-83.

[10] Woody Holton, *Forced Founders: Indians, Debtors, & the Making of the American Revolution in Virginia* (Chapel Hill: University of North Carolina Press, 1999). xviii.

[11] George Washington to George Mercer November 7, 1771, in, W.W. Abbot and Dorothy Twohig, eds., *The Papers of George Washington, Colonial Series*, 10 vols., vol. 8 (Charlottesville: University Press of Virginia, 1983-1995), 541-45.

creating a clear distinction from these two groups. Sarah Hughes has stated in her study of land surveying in Virginia, that just under half of the male population in the Virginia Piedmont owned no land – therefore assuming that just over half were landholders of varying acreage – while 11.5 per cent owned over 500 acres. However, only 3 per cent of the male population owned over 500 acres *and* 20 or more slaves. From this assessment, a logical assumption would be that, certainly in the Piedmont, 500 acres was the minimum landholding required for gentry qualification.[12] Similar conclusions can be drawn from a sample of the Tidewater county of Lancaster. In Lancaster at mid-century, about half of white males owned land, while only a quarter owned the 100-to-200 acres necessary to support a family under eighteenth century agricultural practices. Along with a minimum landholding of 200 acres, 10 or more slaves were also required for any assertion of genteel rank to be possible.[13] Few men in Virginia owned the lands and slaves necessary for genteel status. Landon Carter, for example, had around 400 slaves working on plantations in eight counties. At least 100 of these slaves worked 350 acres of cleared land at Carter's home plantation in Richmond County. Such levels of ownership placed Carter among the ten wealthiest property-owners in the Virginia by the Revolution.[14] From these assessments, the acreage needed to distinguish a claim of gentility would have to exceed the minimum level needed to support a family. Such acreage would also be dependent upon the quality and availability of land on a county-by-county basis.

When determining the minimum expectation of landholding for membership in a burgeoning gentry class, holdings in excess of 500 acres would surely enhance any claim to gentility. This figure takes into account the arguments suggesting that land was relatively cheap in eighteenth century Virginia, and if 100 acres could comfortably support a family, the desire for gentry recognition would also be motivated by expanding holdings to a level that would leave future generations established at the same social standing.[15] As settlers moved across the Appalachians from the late 1770s onwards, they took with them the same expectations of gentility. The landholding needed to define gentry standing in Kentucky would fluctuate, but the principle to secure future generations at the same social standing remained. Such a desire combined with the Virginian tradition of tobacco

[12] Sarah S. Hughes, *Surveyors and Statesmen: Land Measuring in Colonial Virginia* (Richmond: The Virginia Surveyors Foundation, Ltd., 1979). 159-60.
[13] Rhys Isaac, *The Transformation of Virginia, 1740-1790* (New York: W.W. Norton, 1988). 21.
[14] Isaac, *Landon Carter's Uneasy Kingdom: Revolution and Rebellion on a Virginia Plantation* (Oxford and New York: Oxford University Press, 2004). 59-60.
[15] Hughes, *Surveyors and Statesmen*: 75.

cultivation to develop a continual need to expand holdings, and expand into new regions.[16] Tobacco cultivation was an essential part of a gentleman's identity throughout the eighteenth century. A gentleman was a tobacco planter, not a commercial farmer who produced staple crops for market, and these men prided themselves on the quality of their produce and skill as planters.[17] By the 1750s Landon Carter sowed more than a quarter of a million tobacco plants at his Richmond County estate, and was still heavily invested in tobacco into the 1770s. Tobacco, however, required land.[18] The consolidation of gentry authority during the eighteenth century coincided with the expansion into the Shenandoah Valley and beyond, in an attempt to increase cultivation and social authority. By the 1760s, the means to speculate in these western lands, and therefore control the shape of western settlement and expansion, can be added to the role of land when defining gentry authority. Not only would speculation offer an opportunity to increase holdings and status, but the control of the organisation of these new lands increased the potential for political authority over those settling in these new regions. This would be partly achieved through the control over the means of surveying and the pace at which it would proceed.

When applied to the nature of landholding in the eighteenth century, the ability to control the course of settlement was a much sought after position. The benefits of these positions, both socially and economically, represented ways to increase the authority one could wield over other settlers. As Virginian settlement expanded into the backcountry, the nature of land distribution changed with it. In 1728, Lieutenant-Governor William Gooch, and the Executive Council set the western boundary of Thomas, Lord Fairfax's Northern Neck proprietary grant as the Blue Ridge Mountains. While attempting to clarify a boundary dispute which had been on-going since the original royal charter, Gooch's decision opened the Shenandoah Valley to settlement by redrawing the Northern Neck boundary lines and removing the region from the proprietary.[19] The gentry-dominated Executive Council awarded millions of acres of western lands in preliminary grants to gentry-dominated land companies. A career as a surveyor came to represent a respectable

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[16] Isaac, *Transformation of Virginia*: 116.

[17] The importance of this identity as a planter, and not a commercial farmer, disguised the reality that tobacco too, was a commercial crop. Robert Carter to Messrs. Micajah Perry, Sr. and Jr., May 27, 1721, in, Louis B. Wright, ed. *Letters of Robert Carter, 1720-1727: The Commercial Interests of a Virginia Gentleman* (San Marino: Huntington Library Publications, 1940), 93-94. T.H. Breen, *Tobacco Culture: The Mentality of the Great Tidewater Planters on the Eve of Revolution* (Princeton, NJ: Princeton University Press, 1985). 71-72.

[18] Jack P. Greene, ed. *The Diary of Colonel Landon Carter of Sabine Hall, 1752-1778*, 2 vols., vol. 2 (Charlottesville: The University Press of Virginia, 1965), 587.

[19] H.R. McIlwaine, ed. *Executive Journals of the Council of Colonial Virginia*, 6 vols., vol. 4 (Richmond: Davis Bottom, Superintendent of Public Printing, 1925-1966), 205.

occupation for elites in Virginian society, and those appointed as county surveyors would not only determine how the grants were surveyed, but which individuals would define the gentry class of these new counties. As early as 1717, for example, Governor Alexander Spotswood proclaimed that treasury rights could be purchased directly from county surveyors.[20] Not only did these officers control the means of surveying a patent, but they determined which surveys were recorded, and the speed at which they were completed. A surveyor could therefore reward friends and punish, or at least inconvenience, enemies.[21] During the 1730s, William Beverley and Benjamin Borden each received grants of over 100,000 acres in Augusta County. Unlike the Northern Neck proprietary, these grants were given with time limits and instructions regarding the number of settlers required per acre. The men hired by these speculators and land companies often had the authority to determine who to grant the land to, and which lands to grant. As county surveyor, and agent for Beverley, Thomas Lewis retained nearly 30 per cent of the original grant. Western lands could be used as a way of limiting the potential for upward mobility in Virginia, consolidating gentry membership and authority among a select number of families increasingly connected through marriage and kinship. Large freeholders dominated the real estate market, and in western areas such as Augusta County, confirming a patent depended greatly on the approval of these large-scale landowners. This is not to say that admittance to the gentry rank was barred completely to immigrants and smaller freeholders. Western lands did offer the possibility for some candidates to advance their social standing. For example, James Patton, having received a grant from William Beverley in 1738, was part of a consortium which petitioned the Executive Council for a grant of 200,000 acres on the New River in 1745.[22] By controlling the access to land, the gentry were attempting to ensure their own position in a society which equated authority and status with landownership. However, land was not the only factor to secure status and authority: slave labour, in substantial numbers, was also required to legitimise a claim among the gentry elite.

Perhaps unsurprisingly, the acquisition of slave labour in enhancing the authority of gentry planters in the eighteenth century – through both the control over labour, and as a

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[20] Ibid., 3: 605-06. Warren R. Hofstra, *The Planting of New Virginia: Settlement and Landscape in the Shenandoah Valley* (Baltimore: The Johns Hopkins University Press, 2004). 4, 112. Turk McCleskey, "Rich Land, Poor Prospects: Real Estate and the Formation of a Social Elite in Augusta County, Virginia, 1738-1770," *Virginia Magazine of History and Biography* 98(1990): 451. For a further discussion of the importance of surveying as an occupation see chapter two.

[21] Hofstra, *Planting of New Virginia*: 112. Hendricks, *Backcountry Towns*: 10.

[22] H.R. McIlwaine, ed. *Executive Journals of the Council of Colonial Virginia*, 6 vols., vol. 5 (Richmond: Davis Bottom, Superintendent of Public Printing, 1925-1966), 134.

means to increase wealth – forms a significant element in defining gentility. Early historians may have preferred to discuss the social deference accorded to gentlemen without discussing the role slavery played in elevating such figures as social elites.[23] Yet slavery would be a key factor alongside the acquisition of land as a way of differentiating the gentry from others in the social hierarchy, particularly with the numbers of slaves this group accumulated. The presence of slave labour in large numbers provides, arguably, one of the true signifiers when defining gentry status in Virginia, and later Kentucky: the removal of the need to work one's own land. Regardless of the type of crop produced on a plantation, slave labour offered the potential to yield larger profits; profits which the gentry could enjoy without having to undertake the labour themselves. Therefore, from about 1700, large slaveholdings provided a foundation for the establishment of elite authority in other areas of the social hierarchy. As soon as a gentleman established his own household, slaves were required to maximise production *and* improve the planter's standard of living.[24] In the eighteenth century, a man was 'either a master or a servant,' and slavery helped to establish claims to authority and deference by acting as a source for, and display of, a gentleman's economic superiority.[25] Owning a large number of slaves also helped to legitimise a gentleman's claims to wider social authority, and arguably an expectation of authority, as it provided a population source over which to wield authority.[26] The basis of gentry authority lay in their enslavement of the 'poorest 40 per cent of Virginians.' Either existing as a base level of authority, or as a way to gain experience wielding authority, control over slaves was part of a demonstration of wider control in a gentleman's household that was required before claims in the social hierarchy could be legitimised.[27]

For Virginian gentlemen throughout the eighteenth century, a key aspect of gentry authority was a belief in habitual self-control. Rooted in plantation life, gentlemen associated emotional restraint and control with understandings of identity and authority. Many believed that women, lower-class white men, and slaves, were less capable of governing their appetites. By exerting self-control, gentlemen affirmed their own status, and reminded themselves they could exert control and authority over others. Gentry authority was accepted due to a belief that gentlemen were better able to exercise

[23] An example of this early approach includes: Charles S. Sydnor, *Gentlemen Freeholders: Political Practices in Washington's Virginia* (Chapel Hill: The University of North Carolina Press, 1952).
[24] Allan Kulikoff, *Tobacco and Slaves: The Devlopment of Southern Cultures in the Chesapeake, 1680-1800* (Chapel Hill and London: University of North Carolina Press, 1986). 64.
[25] Isaac, *Transformation of Virginia*: 39, 43, 132.
[26] Kulikoff, *Tobacco and Slaves*: 381-84.
[27] Holton, *Forced Founders*: xvi.

reason.[28] This understanding of self-control also fitted into genteel constructs of masculinity, therefore legitimising elite male domination of the social hierarchy. By successfully running a plantation with a large number of slaves, a gentleman would be able to demonstrate his authority over others, as well as the control over self which made this possible, and extend this 'mastery of self' into all other aspects of one's public appearance and behaviour.[29] It is remarkable that such control-based claims were accepted as legitimate, considering the many excesses in gentry spending and gambling as the century progressed. Yet, large acreage and slaves also assisted the elite in enhancing claims to authority in the social hierarchy through increased commercial potential, and the knowledge that a significant number of Virginia's population already deferred to them. The acquisition of both land and slaves can help to explain how gentlemen differentiated themselves from those below them on the social ladder, with the means to legitimise and consolidate a claim to authority. With an enslaved labour force, planters could afford time to consolidate their social position further, and the removal of a need to labour brought about increased leisure time with which to display their prosperity for others to see.

The most obvious ways for gentlemen to display their superiority was through the use of clothing and fashionable items. Slavery eliminated the need for planters to work their own lands, and to show this they dressed in a much grander way than their non-gentry counterparts. Clothing played an important role in the display of genteel status during the eighteenth century, and said a great deal about the refinement of the wearer. Gentlemen, unlike common settlers, wore wigs, and their lace-ruffled cuffs proclaimed a freedom from manual work. Prior to visiting two of Virginia's most influential planters, John Bartram was advised to purchase new sets of fine clothing to avoid being looked down upon. According to Bartram's friend, Virginians were a 'well-dressed people,' and 'look, perhaps, more at a man's outside than his inside.'[30] The wearing of expensive imported garments allowed for the elite planter to 'step out of the genteel environment of the plantation house… yet still be recognised and treated as gentry.'[31] Consequently, part of the reason Virginian gentlemen supported a boycott of imported goods on the eve of the

[28] Richard Braithwaite, *The English Gentleman* (London: John Haviland, 1630; repr., 1994).
[29] Thomas Jefferson, *Notes on the State of Virginia. With an Appendix* (Boston: David Carlisle, 1801). 240-42. Brown, *Good Wives, Nasty Wenches*: 324.
[30] Peter Collinson to John Bartram, February 17, 1737, in, William Darlington, *Memorials of John Bartram and Humphrey Marshall: With Notices of their Botanical Contemporaries* (Philadelphia: Lindsay & Blakiston, 1849). 88-89.
[31] Brown, *Good Wives, Nasty Wenches*: 272.

Revolution, was to limit the availability of luxury goods to just the gentry class.[32] The importance of dress can be extended to those gentlemen who were also attempting to increase their status by working as surveyors in Virginia's western lands. Gentlemen-surveyors may have adapted to backcountry conditions while conducting their field work, but would have maintained their genteel appearance when fulfilling their other civic duties on the county court, or riding to Williamsburg.[33] By dressing in the best materials available, gentlemen would be able to ensure that their superiority and success was visible during all occasions. Landon Carter, for example, recalled an argument with his grandson over the poor quality of 'handkerchiefs' he was expected to take to college.[34] Yet, fashion as a tool of social differentiation, and a way to display authority, did not stop with the use of imported cloth.

A man's home in the eighteenth century – his plantation and house – 'were special extensions of the self.'[35] As a result, the care that went into displays of clothing were replicated in housing, and other extensions of the self, in defining superiority over others; and defining their own worthiness among contemporaries. A large house revealed a vision of a place in the world as the owner wished it. Like conspicuous displays of wealth, a large house distinguished elite from ordinary. When the majority of the population inhabited two-room dwellings, a brick house embedded social superiority and wealth on the landscape.[36] In a region where lumber was abundant, and therefore the most common building material, stone masons were rare and the sight of a brick plantation house dominating the landscape gave gentlemen a visible symbol of their wealth and status. The choice of brick was, like many other aspects of gentry life, determined by a desire to replicate gentry customs, and great lengths were taken to ensure that these houses replicated the look of English gentility. Such desires extended to prominent gentlemen who could not access the desired building materials or artisans. George Washington, in an effort to project the image of gentility from his Mount Vernon estate, renovated the main house several times over his residency. The appearance of Mount Vernon in general was a

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[32] T.H. Breen, "'Baubles of Britain': The American and Consumer Revolutions of the Eighteenth Century," *Past & Present*, no. 119 (1988). "Narrative of Commercial Life: Consumption, Ideology, and Community on the Eve of the American Revolution," *The William and Mary Quarterly* 50, no. 3 (1993): 484.

[33] George Washington, March 15, 1748, in, Donald Jackson and Dorothy Twohig, eds., *The Diaries of George Washington*, 6 vols., vol. 1 (Charlottesville: University Press of Virginia, 1976-1979), 9-10.

[34] Landon Carter, June, 1772, in, Greene, *Diary of Landon Carter*, 2: 701-02.

[35] Isaac, *Transformation of Virginia*: 71. The idea of the 'home' as extension of the self, and as a tool for displaying status, includes both the architecture of the buildings, and the materials used to fill them.

[36] Landon Carter, July, 1772, in, Greene, *Diary of Landon Carter*, 2: 704-06.

constant concern for the status-conscious Washington throughout his life.[37] As with the outward appearance of clothing, the outward appearance offered by brick was an important symbol for gentlemen to attain; yet, what was contained within these mansions became equally important to displaying social standing.

As brick houses and formal gardens attempted to impose order onto the landscape, planters added the display of imported props beyond the means of most Virginian men. Houses were filled with luxury possessions including imported carpets and books, for a library was essential for a learned gentleman. By the middle of the eighteenth century, gentility was being increasingly defined both outwardly, through architecture and clothing, and internally, as imported props of monogrammed silver, fine china, and expensive furniture. Such aspects revealed a man's taste among a section of society increasingly defined by conspicuous consumption and lavish display.[38] Not only were these criteria utilised to display status and authority to those occupying lower positions in the social hierarchy, but were also a tool to display status to other gentlemen. As visible consumption led to the acquisition of imported goods, a culture of hospitality began to thrive among the gentry; the entertaining of peers allowed for judgement to be passed on others. By entertaining, and being entertained, every aspect of a gentleman's claim to authority were put on display, thereby showing lavish entertaining as a continuing test of worth.[39] Through entertaining, the 'imported props' could be displayed for those with taste to see, and the quality of the food and wine open for comment; through this, the authority a planter held over his household could be adequately measured. The conduct and manners of those under the gentleman's patriarchal authority, his wife, children and servants/house slaves, were testament to how well the household was managed, and were markers of whether the gentleman was worthy of his place in the social sphere and worthy of public authority. These tests among gentlemen can also be seen in the methods used to go between the private plantations and public gatherings.[40]

Fine horses distinguished elite planters, and coaches transported their families and guests. During the 1720s, Hugh Jones declared that the 'Families of note' in Williamsburg,

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[37] George Washington, Invoice to Robert Cary & Company, September 20, 1759, in, W.W. Abbot and Dorothy Twohig, eds., *The Papers of George Washington, Colonial Series*, 10 vols., vol. 6 (Charlottesville: University Press of Virginia, 1983-1995), 352-58. Andrew Burnaby, *Travels through the Middle Settlements in North America, in the Years 1759 and 1760*, 3 ed. (London: T. Payne, 1798). 67-68.

[38] Landon Carter, December 30, 1774, in, Greene, *Diary of Landon Carter*, 2: 906-07. Burnaby, *Travels*: 57-58. Isaac Weld, *Travels Through the States of North America, and the Provinces of Upper and Lower Canada, during the years 1795, 1796, and 1797* (London: John Stockdale, 1799). 144-45.

[39] Landon Carter, April 3, 1776, in, Greene, *Diary of Landon Carter*, 2: 1009-10.

[40] Brown, *Good Wives, Nasty Wenches*: 297.

all had a coach, and did their best to 'behave themselves exactly as the gentry in London.' There was little other reason for a coach on the poor Virginia roads other than to emulate status.[41] In the face-to-face hierarchical experience of white males in Virginia, only by scrutinising each other's physical markings of status could men determine how to behave. The argument for gentility being a publicly displayed commodity is extended to the role that militia titles played in the bestowing of authority. The militia muster rearticulated the social hierarchy by assigning roles according to social position. The muster, as one of the largest social gatherings, represented an idealised vision of the social order. Under such a vision 'every man and his place were clearly evident.' As a microcosm of Anglo-Virginia society, the militia muster can therefore be interpreted as a way of fostering hierarchy and gentry social status as customary norms, thereby legitimising elite authority as something which was traditionally accepted.[42] In order to display status and authority in a public setting, a gentleman needed to be active in the legislative needs of his community and county. Public service can therefore be added to the prerequisites for gentry membership. As slavery gave gentlemen leisure time to display status, so too did slavery provide gentlemen the necessary time to be active in the political affairs of county life.

Office-holding, Religion, and the Financial benefits

Office-holding in Virginia during the eighteenth century was dominated by gentlemen seeking to legitimise their authority over the social hierarchy. It was expected that elite males would assume numerous political and civic offices in their communities, and plural office-holding became a characteristic of gentility.[43] Office-holding was a prerogative for men of property, and just as surveying could help increase authority through landholding, a seat on the county court, or the House of Burgesses, provided gentlemen with the opportunity to wield tangible authority over lesser men. County and District Courts were, arguably, the agents in transforming the backcountry into private property during the eighteenth century. It was here where the land cases were heard.[44] However, the importance of the county court was much greater than settling disputes over

[41] Hugh Jones, *The Present State of Virginia* (London: J. Clarke, 1724; repr., 1849). 27.
[42] Brown, *Good Wives, Nasty Wenches*: 275-79. Isaac, *Transformation of Virginia*: 104-10. For more on the militia as a basis for legitimising wider social authority see chapter four.
[43] Hughes, *Surveyors and Statesmen*: 75, 156. As one of the most important and prosperous early settlers in Augusta County, James Patton monopolised a number of key offices and established family members in others. See footnote 47.
[44] Bourbon County Court, Order Books, 1783-1866 (microfilm), Kentucky Department of Libraries and Archives, Frankfort, Kentucky (hereafter KDLA). First Order Book of the Kentucky District Court, 1783-1786 (microfilm), University of Kentucky Special Collections, Lexington, Kentucky (hereafter UKSC).

landownership. The court was the arena where law was dispensed, allowing gentlemen justices to cast judgement on the lower members of society; but more importantly, legitimising the authority of local officers, such as Justice of the Peace and Sheriff. No justice, sheriff, or militia officer could act in their positions until they had qualified themselves through taking oaths in court. A position on the county court therefore offered a gentleman the chance to determine which members of the county could legitimately hold office and what the legitimate authority of these offices were; thereby defining legitimate authority. However, even this authority could be challenged. When the First District Court of Kentucky convened in March, 1784, Christopher Greenup lodged a complaint over the property qualifications of members of the Grand Jury. The following year, John May was relieved of his role as Clerk for not fulfilling his duties.[45] Election to the Virginia House of Burgesses would be a further step in political office-holding, as it would extend authority by legitimising the position of the gentry across the whole colony. Political office-holding by gentlemen legitimised who could hold office and claim social authority, and more importantly, who could not.[46]

An example of the combination of multiple civic and political offices held by Virginian gentlemen during the eighteenth century can be seen in the career of James Patton. Not only did Patton hold ties to surveying in Virginia's western counties, where he established his nephew, William Preston, but Patton monopolised the traditionally legitimate positions of authority in Augusta County. Patton was appointed county lieutenant for the Augusta militia by two Virginia lieutenant governors, William Gooch and Robert Dinwiddie, as well as holding appointments as the collector of duties for skins and furs, and the office of coroner.[47] There was a clear hierarchy within these gentry-dominated positions however, from the local sheriff, and militia officers, to justice of the peace and the county courts, and finally the elected officials of the House of Burgesses and the General Assembly. All positions offered different degrees of prestige for gentlemen, and the interaction of this hierarchy sought to define what legitimate authority was for Virginia in the eighteenth century. Yet, before a gentleman could rise to the level of these

[45] First Order Book of the Kentucky District Court (microfilm), 33, 72, UKSC.
[46] Hofstra, *Planting of New Virginia*: 144.
[47] Certificate to appoint James Patton as Lieutenant Colonel for Augusta County, 1742, Draper Manuscript Collection 1QQ6 (hereafter DM). Certificate to appoint James Patton as Collector of Duties (Skins and Furs) for Augusta County, October, 1743, DM1QQ8. Certificate to appoint James Patton as Coroner for Augusta County, 1752, DM1QQ67. Certificate to appoint James Patton as Lieutenant Colonel for Augusta County and Chief Commander of the Militia, July 16, 1752, DM1QQ68. William Preston, Lyman Copeland Draper, and State Historical Society of Wisconsin, *William Preston papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

multiple civil and political offices, the essential starting point was service in the religious administration of their local communities.

In Virginia, the institutional organisation of the Anglican Church served to reinforce gentry claims to authority. Each county parish was administered by a vestry council of twelve gentlemen and a minister. Not only was serving as a vestryman seen as a public duty for Virginian gentlemen, but being a visible member of the Anglican Church was a prerequisite for any future political office-holding.[48] The importance of religious participation, or more appropriately Anglican participation, for gentlemen seeking social authority, is a factor which is largely discussed in relation to prominent members of the newer western settlements. Virginians in the eighteenth century may have largely conformed to the deferential example of the Anglican Church, yet many western settlers practiced sectarian faiths. Warren Hofstra has attributed such pluralism to an influx of Scots-Irish, German, and Pennsylvanians settling in the Virginian backcountry, who had limited experience with Virginian institutions. When preaching in Winchester, the Reverend Francis Asbury noted the many languages and cultural practices of the backcountry settlers. According to Asbury, these settlers 'agree in scarcely any thing, except it be to sin against God.' Yet, it can be argued that religious conviction was not a significant factor when determining membership of Anglican churches in these backcountry regions; particularly where office-holding is concerned.[49]

Dorothy Twohig may have cast doubt on George Washington's religious conviction during his service as a vestryman, but at least it is possible to agree that Washington was raised in Virginian Anglican traditions. For many of the prominent western gentry this is not the case. For men such as James Patton, and latterly John Buchanan and William Preston, there was no Anglican heritage; these men maintained their Presbyterianism, yet dominated their county hierarchies through the eighteenth century.[50] Patton and Buchanan were among the first magistrates named with the formation of Augusta County, and they, and their families, continued to play an important role in the county's development. Despite arguments that membership in the established Anglican Church was essential for

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[48] Dorothy Twohig, "The Making of George Washington," in *George Washington and the Virginia Backcountry*, ed. Warren R. Hofstra (Madison: Madison House, 1998), 19. Robert D. Mitchell, *Commercialism and Frontier: Perspectives on the Early Shenandoah Valley* (Charlottesville: University Press of Virginia, 1977). 105.

[49] Francis Asbury, *The Journal of the Rev. Francis Asbury, Bishop of the Methodist Episcopal Church, from August 7, 1771 to December 7, 1815*, 3 vols., vol. 1 (New York: N. Bangs and T. Mason, 1821). 357. Warren R. Hofstra, "The Virginia Backcountry in the Eighteenth Century: The Question of Origins and the Issue of Outcomes," *Virginia Magazine of History and Biography* 101(1993).

[50] Twohig, "Making of George Washington," 19.

aspiring gentlemen, adherence to the particular faith was not necessary in order to serve as a vestryman.[51] This is particularly relevant with regard to the western gentry. Prominent western gentlemen joined the Anglican Church to not only be eligible for political office, but to emulate the characteristics of their eastern counterparts. From 1746, James Patton headed an Augusta County vestry dominated by Scots-Irish Presbyterians. Yet, while they may not have personally adhered to Anglicanism, their presence as vestrymen highlights the important political role of the organisation. Vestrymen were expected to be chosen from 'the most able men' in their parish.[52] Therefore, as leading citizens, it is unsurprising men such as Patton and Buchanan would be elected as vestrymen. This was an important office, and local government could not have functioned without their presence. The role of the Vestry was wide-ranging and included facilitating poor relief, and the 'important duty' of settling local boundary disputes. Religious conviction was not the motivation for gentlemen, but rather the opportunity to legitimise their authority by serving local needs. They may have been Presbyterians, but their authority as vestrymen would only have been accepted if they adhered to the needs of their community.[53]

Participation in the Church, regardless of denomination, represented a chance for gentlemen to display their superiority visibly. In order to garner the greatest impact of visual display, gentlemen would wait for the service to begin before entering the church. Through such a late entrance, gentlemen were attempting to ensure that they were noticed as they marched 'booted to their pews at the front.' Exits were made in a similar manner, thereby forcing 'humbler' men and women to wait until the gentlemen had left the building.[54] Religious attendance was a social event for many and, therefore, if religious participation can be regarded as an avenue for public display in this homogenous face-to-face hierarchy, it is surely one of a wider number of criteria for defining a gentleman; and by no means would it be the most crucial. Thus far, the defining characteristics of a gentleman can surely include: landholdings large enough to dominate the landscape; a

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[51] Mitchell, *Commercialism and Frontier*: 105. Albert H. Tillson Jr., "The Militia and Popular Political Culture in the Upper Valley of Virginia, 1740-1775," *Virginia Magazine of History and Biography* (1986): 287.

[52] Joseph A. Waddell, *Annals of Augusta County, Virginia, from 1726 to 1871*, 2 ed. (Staunton: C. Russell Caldwell, 1902). 52. William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 2 (New York: R. & W. & G. Bartow, 1823), 44-45.

[53] Waddell, *Annals of Augusta County*: 58-59. Albert H. Tillson Jr., "The Southern Backcountry: A Survey of Current Research," *Virginia Magazine of History and Biography* 98(1990): 389, 401-09.

[54] John Rogers Williams, ed. *Philip Vickers Fithian Journal and Letters, 1767-1774: Student at Princeton College, 1770-72, Tutor at Nomini Hall in Virginia, 1773-74* (Princeton: The Princeton Historical Association, 1900), 57-58.

large slave population to make such lands productive, and create the freedom from personal labour; imported materials to replicate English fashions and architecture; and the holding of multiple civic and political offices, to which can be added the public display of church membership. Yet, in order to acquire these criteria – as the acquisition of certain criteria, such as land and slaves, would make others easier to attain – and ensure that yeomen farmers and freemen could not challenge the displays of the gentry, the access to, and the control of, money and credit was fundamentally essential. Arguably, a final criterion for the definition of gentility in the eighteenth century was access to credit, and the control of credit to others.

In the 1760s satirist James Reid declared that a Virginian qualified as a gentleman as soon as he had acquired 'Money, Negroes and Land enough.'[55] The 'money' aspect can be more accurately defined as foreign credit, but the acquisition of such defined the ability to obtain all criteria for a legitimate claim as a gentleman, as well as the authority to dominate the social hierarchy. In a region which often lacked a sufficient volume of specie, in order to raise the necessary capital for the lifestyle of a Virginian gentleman, English credit was required.[56] Arguably, Virginian society was dominated by the urge to establish credit, and that to be wealthy equalled having access to more than the average share of any credit. Such an understanding suggests that social credibility was at stake if the necessary credit could not be secured for the purchase of the elaborate refinements of rank. A claim to gentility could only be accepted, and therefore legitimised, with these refinements.[57] The value of credit in defining a gentleman is a complex one however, particularly in an era where the Newtonian mentality of balancing debits and credits in economic equilibrium prevailed.[58] George Washington feared the consequences of debt, while Landon Carter preached the value of financial prudence to his sons, yet great planters of the eighteenth century consolidated opinions regarding debt alongside an essential aspect of their identity: personal independence.[59] Andrew Burnaby stated that planters were 'haughty and jealous of their liberties.' Therefore, being in debt somehow made a person 'unfree,' and yet credit was part of the unpredictable commercial world planters

[55] James Reid quoted in, Richard Beale Davis, ed. *Transactions of the American Philosophical Society*, vol. 57, The Colonial Virginia Satirist: Mid-Eighteenth Century Commentaries on Politics, Religion, and Society (Philadelphia: American Philosophical Society, 1967), 48.
[56] Holton, *Forced Founders*: xviii.
[57] Hofstra, *Planting of New Virginia*: 28. Kulikoff, *Tobacco and Slaves*: 118-19.
[58] Breen, *Tobacco Culture*: 91-92.
[59] George Washington to Robert Cary & Company, August 10, 1760, in, Abbot and Twohig, *Papers of George Washington, Colonial*, 6: 448-51. Landon Carter, November 16, 1771, in, Greene, *Diary of Landon Carter*, 2: 640-41.

operated in.[60] This 'tobacco mentality' prevailed in the Virginian commercial world, even after tobacco had ceased to be the commercial staple of note. The financial necessities of credit and debt were therefore redefined, and an 'etiquette of debt' was established so indebted men could still claim personal autonomy.[61] For gentlemen then, debt was still treated with suspicion and indebtedness to be avoided, but credit from English and Scottish merchants was reinterpreted as a form of friendship, and said a great deal about an individual's honour and reputation.[62] Through this understanding of friendship and the 'etiquette of debt,' gentry acquisition of credit was not interpreted as a failure of a gentleman's personal finances, or a lessening of independence, rather it was interpreted as an affirmation of worthiness and success, almost as a personal favour.[63] In a society that based elite concepts on that of the English landed gentry, to receive foreign credit affirmed aspirations of reaching a similar level of status, of being held as equals rather than colonials. The 'etiquette of debt,' however contradictory, can also be seen as a way for gentlemen to control the Virginian social hierarchy, determining who was eligible/worthy for their credit, and in what amounts.

Credit displayed a gentleman's status among his peers, acting as a testament to the success of his plantation, the soundness of his land acquisitions, and his reputation among his 'friends.' It allowed gentlemen to spend lavishly on their homes, with expensive masonry and imported furnishings, and on their fashion-conscious appearance. It can also be argued that credit allowed Virginian gentlemen to act like members of the English gentry, particularly when it came to high stakes betting. There was a cultural significance to gambling among Virginian gentlemen, and betting for high stakes was an attempt to transplant 'English social mores.'[64] Yet, while gambling can be understood as a way of emulating a 'genuine landed aristocracy,' there is also an argument to suggest that the purpose of high stakes betting was to define would-be gentlemen from the lower classes in a public setting. High stakes betting, whether for tobacco or cash, flaunted wealth that other, lesser planters and freemen could not hope to achieve. Landon Carter may have disapproved of card playing and gambling, but it was ingrained in elite Virginian society.[65]

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[60] Burnaby, *Travels*: 55.
[61] Marc Egnal and Joseph A. Ernst, "An Economic Interpretation of the American Revolution," *The William and Mary Quarterly* 29, no. 1 (1972): 25.
[62] Kulikoff, *Tobacco and Slaves*: 122.
[63] Breen, *Tobacco Culture*: 95, 108.
[64] "Horses and Gentlemen," 242-57.
[65] Durand of Dauphine, *A Frenchman in Virginia: Being the Memoirs of a Huguenot Refugee in 1686* (Richmond: Unknown, 1686; repr., 1923). 51-53. "Journal of a French Traveller in the Colonies, 1765, I," *The William and Mary Quarterly* 26, no. 4 (1921): 741-42.

The public displays of high stakes betting not only revealed the extent of a gentleman's credit – and by extension, reputation – or the confidence in his assets to cover any loss, but such displays also revealed the extent to which Virginian gentlemen controlled the available specie in the colony. By publically betting large sums of money or tobacco on horse races, cock-fights, and card games, gentlemen were declaring that they had excess monies with which to distribute credit to others – as long as such individuals qualified under the 'etiquette of debt.' Arguably it is the way in which gentlemen utilised their foreign credit, and reputation, to act as creditors themselves, therefore attempting to lessen the independence of lesser freemen.[66]

Despite the argument that Virginian elites differentiated themselves from other men, and therefore legitimised their claim to social authority, partly through the display of refined luxuries attained through credit, another approach can be articulated. Arguably, the only distinguishing feature between elites and everyone else when it came to displaying luxury items was simply quantity. All had access to these items, but elites could afford more of them, and as such, distinguished themselves by their consumption.[67] As the revolutionary period began, consumerism threatened to allow smaller planters to pierce the social ceiling between themselves and struggling members of the gentry. One method of freezing the hierarchy at the 'correct' level was to halt the importation of luxury goods, therefore limiting the supply. Reflecting wider colonial understandings of gentility in a letter to Benjamin Franklin, Richard Jackson argued the balance had to be redressed, that it was the responsibility of common people to produce, not to consume.[68] A restriction on supply would have also increased the price of luxury goods, driving up the price and putting a greater dependence on credit networks. This argument also answers why Virginian gentlemen would have supported a boycott of British goods in the prelude to the American Revolution.[69] An alternative method for capping social standing and ensuring the supremacy of gentlemen however, was also the extension of credit to those lower on the social hierarchy.

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[66] Kulikoff, *Tobacco and Slaves*: 220-21. The gentry's relationship to the 'lower sorts' in terms of gaming and gambling can also be seen in the importance of fighting as a public spectacle throughout the southern backcountry. Elliott J. Gorn, "'Gouge and Bite, Pull Hair and Scratch': The Social Significance of Fighting in the Southern Backcountry," *The American Historical Review* 90, no. 1 (1985).

[67] Kulikoff, *Tobacco and Slaves*: 276-77.

[68] Richard Jackson to Benjamin Franklin, June 17, 1755, in, Leonard W. Labaree, ed. *The Papers of Benjamin Franklin*, 37 vols., vol. 6 (New Haven: Yale University Press, 1959-2008), 75-82.

[69] Holton, *Forced Founders*: 81-88. T.H. Breen, *The Marketplace of Revolution: How Consumer Politics Shaped American Independence* (Oxford and New York: Oxford University Press, 2004). 182-91.

In Virginia during the eighteenth century, and the Shenandoah Valley in particular, land was in plentiful supply; yet it was also in plentiful demand. Credit could therefore be established through the mortgaging of such assets. For lesser planters then, the ownership of land – while being understood as a way of increasing the potential for social standing, and the securing of an inheritance for future generations – can also be understood as a way of improving one's chances of receiving credit. By attempting to secure credit however, smaller planters were also leaving themselves vulnerable to dependency, with an obligation to the 'wealthy' gentleman who supplied such credit. While the common planter was the master of his own domain, with his own acreage and perhaps a few slaves, such a planter was either in debt to a wealthy neighbour, or one bad year away from being so.[70] This indebtedness, and the prospect of future indebtedness, helped to foster any attempts by gentlemen to enhance their social authority over others in parts of Virginia. Disruption to the status quo from other authority candidates would have been difficult when gentlemen controlled much of the available wealth, and many planters were either dependent on gentlemen for financial security, or soon to be in need of their assistance. Therefore, even in areas of Virginia where status and the social hierarchy was not as defined as the Tidewater, the authority of gentlemen was accepted, and therefore legitimised through collective approval. It would be this need for collective approval which ultimately dictated where the legitimacy of authority lay. While gentlemen may have controlled the supply of credit, they could not afford to take advantage of their poorer neighbours. A gentleman's standing, and the authority which went with it, depended upon the wider community accepting his status as a customary norm. It was these smaller landowners who voted for gentlemen in local elections, and any abuses by gentlemen would have eroded the approval which supplied genteel legitimacy and political authority.[71]

[70] Isaac, *Transformation of Virginia*: 56.

[71] Breen, *Tobacco Culture*: 101. Gregory H. Nobles, "Breaking into the Backcountry: New Approaches to the Early American Frontier, 1750-1800," *The William and Mary Quarterly* Vol.46, no. 4 (1989): 658. Nobles adds here that due to the relative weakness of the gentry's social position in the backcountry when compared with the Tidewater and Piedmont, a certain lack of deference did occur. Nobles is however, quick to assert that a lack of deference does not equate to defiance, and that gentlemen were still the dominant individuals in the social hierarchy. This equates to Craig Matheson's arguments concerning what happens to authority when social norms are weak. Craig Matheson, "Weber and the Classification of forms of Legitimacy," *The British Journal of Sociology* 38, no. 2 (1987).

Defining a Gentleman

In defining a Virginian gentleman, there are a number of criteria to consider. For much of the eighteenth century, the attributes for gentility placed a great deal of emphasis on traditionally-established norms to legitimise status, and the authority which went with it. These traditional norms would have been grounded in an emulation of the English landed gentry for the Tidewater elites in the early eighteenth century, and an emulation of the Tidewater by western elites thereafter. The criteria regarding labour, credit, and consumption legitimised a claim to gentility and authority, as the criteria was accepted as traditional among the social hierarchy. However, while the emulation of English genteel standards may have provided for the initial legitimacy of Virginian elites, it negates the impact of the Revolution by the 1770s and the evolving concepts required to ensure gentry authority continued to be accepted as a customary norm. Responding to increasing consumption of luxury items in the society at large, Richard Jackson may have felt that it was the responsibility of the common people to produce, not consume, yet gentry authority increasingly lay with these 'common people.'[72] On the surface, being a gentleman would seem to reside in the fact itself, a proclamation made to society and accepted. However, while the means for personal independence sufficed to legitimise gentility and authority for much of the eighteenth century as customary norms, by the 1770s, such criteria needed to be accepted as legitimate.[73] By the Revolution, the authority of gentlemen was not legitimate because of landholding and large slaveholdings; it was legitimate because society accepted the criteria as such. Legitimate authority lay in the collective approval of society for a gentleman's criteria and claims. As with attitudes to credit, a gentleman had to maintain this collective approval in order for any authority to be legitimate. While the criteria for gentility by the end of the Revolutionary period may have resulted in the need to secure the collective approval of society, the importance of personal independence to gentility, remained largely unaffected. These were still customary norms when it came to demonstrating personal independence. James Reid may have been satirising the situation in Virginia, but his assessment of 'Money, Negroes, and Land enough' formed the basis of these customary norms necessary to assert independence and exercise authority.[74]

Land and slaves can certainly be regarded as basic elements for a claim to gentility, in as much as they fuelled the addition of other definitions of rank. Land denoted the

[72] Jackson to Franklin, June 17, 1755, in, Labaree, *Franklin Papers*, 6: 75-82.
[73] Isaac, *Transformation of Virginia*: 131.
[74] James Reid in, Davis, *Colonial Virginia Satirist*, 48.

achievement of personal freedom; while holdings that went beyond at least 200 acres denoted a level of independence that could provide an inheritance beyond a single generation. Likewise, owning a small number of slaves would have indicated individual success, in that a planter could afford to purchase additional labour to assist in the production of his plantation. A large slaveholding, reaching into double figures, eliminated the need for the planter to work his own lands, whilst also adding to the numbers of dependents he could exert authority over. In this context, the basic elements for defining a gentleman can be reaffirmed as the possession of land in acreage which extended beyond a single generation's subsistence, and the possession of enough slaves to replace the labour requirements of the planter's family, and to make the land profitable. The output of plantations would have also demonstrated a gentleman's skill in directing his labour force, and managing his estate, exemplified by Robert Carter's assessment of his status being tied to the price of his tobacco.[75] The personal independence of a gentleman therefore required a sufficiently large amount of land, upwards of 500 acres, and the control of enough labour, more than 20 slaves, to provide a definition of freedom from labour and dependency. This allowed for the monopolisation of the other key aspects when defining a gentleman: the monopoly of civic and political offices; access to, and the control over the distribution of, credit; and the acquisition and public display of the trappings of gentility. The freedom from labour bestowed on gentlemen through the acquisition of slaves and dependents allowed for involvement in fields such as surveying and the law. As a result, gentlemen had the potential to exercise a great deal of authority over the shape of county formation, and through the county court, determined the scope of legal authority in these regions. Religious participation was an essential first step to holding further political office in Virginia, and yet, one did not have to be an ardent Anglican in order to display themselves at services, and serve as a parish vestryman. Gentlemen therefore clarified their authority in the social hierarchy through their monopoly of public offices. As a result, their authority would be accepted in many areas of Virginia, and unchallenged when positions became available. By the eighteenth century, the gentry domination of civil and political offices in Virginian counties was legitimised by a collective acceptance of the traditional structures. It was accepted because it was seen as the traditional norm.

Large landholdings were partly responsible for Virginian gentlemen receiving credit from English and Scottish merchants over the eighteenth century. By reinterpreting such credit relationships as 'friendships,' gentlemen were able to accentuate the boost that

[75] Wright, *Letters of Robert Carter*, 93-94.

credit recognition gave their reputations on a local level, whilst establishing the 'etiquette of debt,' to manage the hypocrisies contained within gentry attitudes to debt. George Washington may have preached self-control when lending money to John Posey, and cautioned Posey over the loss of 'honour,' should his creditors sue. Yet, Washington continued to extend his friend credit, at least £1,200 by 1767.[76] However, access to credit allowed gentlemen to purchase luxury items in substantial quantities and raise their reputations as successful planters; this allowed gentlemen the opportunity to create a further monopoly, and control the access of credit to others. By controlling credit networks, gentlemen were maintaining their position in society, by determining the rules of who was eligible for credit, and at what amounts. This ensured that by attempting to control the access to credit, and therefore access to land, slaves, and luxury goods, gentlemen were ensuring their own authority. The only way for a small planter to increase holdings or purchase slaves would be to go into debt with a wealthy neighbour, allowing many gentlemen to view the giving of credit as the establishment of dependencies. Such monopolies allowed gentlemen to present an image of authority over the social hierarchy that became more entrenched with each generation, and therefore legitimised as traditional norms. Such displays can be seen in the role of fashion as a uniform for the gentry, differentiating themselves from others in the social hierarchy, while the same criteria can be used to understand the role of architecture and the appearance of fine carriages on rough backcountry roads. Rhys Isaac has likened this culture to a stage, and the importance gentlemen attached to being seen as apart from the rest of society can help clarify and define the tenets of gentility, and traditional authority for the region.[77]

In order to legitimise a claim as a gentleman, and thereby assume wider social authority, the acquisition of the aforementioned criteria discussed in this chapter was essential. The necessary landownership and slaveholdings – with 500 acres and 20 slaves needed as a minimum marker – enabled gentlemen to assert the personal independence necessary for their status, and justify an involvement in the domination of the social hierarchy. While the necessary amounts of land and slaves were subject to fluctuation, depending on region of settlement, such criteria allowed for the extension of credit, which enabled the purchase of luxury items and architecture, to publically display status. It was the ownership of sufficient land and slaves which provided the freedom from manual

[76] George Washington to Capt. John Posey, June 24, 1767. Washington to Posey, September 24, 1767, both in, John C. Fitzpatrick, ed. *The Writings of George Washington: From the Original Manuscript Sources, 1745-1799*, 39 vols., vol. 2 (Washington: Government Printing Office, 1931-1944), 455-60, 73-77.

[77] Isaac, *Transformation of Virginia*: 350.

labour necessary to legitimise participation in political affairs. However, by the 1770s, changes had occurred in how authority was legitimised, and by the Revolution, the emphasis was placed on the need to maintain collective approval. The criteria to assert gentility may not have undergone dramatic change in Virginia, but in order for the authority of gentlemen to be legitimate the criteria had to be accepted as a customary norm throughout society. Gentry authority was legitimate, because the genteel criteria for personal independence reflected the collective approval of society as a customary norm. Yet, while gentlemen were required to exhibit a freedom from manual labour, elite Virginian's still placed a great deal of personal pride in the output of their plantations. They may not have been personally working their fields, but they regarded the amount, and quality, of their produce as testament of their abilities as gentlemen-farmers. However, while gentlemen directed, rather than conducted, their plantation operations, their independence from manual labour could be directed into more genteel pastimes. Such pastimes, particularly surveying and legal practices, reflected opportunities for higher learning, and demonstrating skills which further set gentlemen apart from ordinary settlers. These were pastimes which could only be confirmed by the aforementioned criteria. By the end of the eighteenth century, despite the Revolution placing greater emphasis on fostering collective approval rather than expecting it, surveying and the law, as genteel occupations, created a way to gauge demonstrations of skill and ability, a gentry-defined meritocracy. The occupations of gentlemen, beyond that of planter, would shape concepts of elite status and legal-rational legitimacy for their authority, and heavily influence the establishment of legitimate authority in Kentucky.

Chapter Two

Surveyors, Lawyers, and Legitimacy: The 'Appropriate Occupations' of Gentlemen

As the discussion in chapter one demonstrated, defining a gentleman in eighteenth century Virginia, and with it the criteria for traditional authority, involved a number of elements. Gentility can appear to exist as a fact in itself. Defining oneself 'a gentleman' in society required others to accept this status in order to be deemed legitimate, and achieving specific criteria provided this collective approval for the statement. Key to such assertions of gentry membership were claims to personal independence, and the ability to prove such assertions; particularly a freedom from manual labour. Yet, along with such importance placed on personal independence came other criteria for gentlemanly conduct. A freedom from manual labour allowed Virginian gentlemen to monopolise political offices as their freedom from labour legitimised such participation. Similar understandings of independence and gentility can also be attached to other positions for members of an eighteenth century elite. This chapter will further the discussion of the criteria for defining traditional authority and customary norms in eighteenth-century Virginia, in terms of the 'appropriate occupations' with which gentlemen could display their independence, further influencing how their authority was accepted as legitimate. While the ownership of large landholdings and slaves provided the personal independence which confirmed gentlemanly status, appropriate 'demeanour, dress, manners, and conversational style' were also important criteria. For Isaac, these traits, when combined with sacred, classical, or legal learning, gave a 'presumption of gentility' which could only be confirmed by the aforementioned holdings.[1] However, while such demeanour and training needed an estate and slaves to go beyond presumption, acquisition allowed for the freedom to 'elevate the mind' through higher learning. Such an understanding would be particularly appropriate for the sons of confirmed gentlemen, yet such elevation of the mind was to be directed towards acceptable occupations for a gentleman.[2]

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[1] Rhys Isaac, *The Transformation of Virginia, 1740-1790* (New York: W.W. Norton, 1988). 121-35.
[2] Thomas Jefferson, *Notes on the State of Virginia. With an Appendix* (Boston: David Carlisle, 1801). 222.

The criteria defining a gentleman in eighteenth-century Virginia would influence the establishment of authority in Kentucky by the end of the century. As such, the acceptance of the criteria for gentility legitimised the status and authority of a gentleman. The acceptance of such norms by the wider social hierarchy provided the collective approval necessary for legitimacy. Extending the criteria to include the higher learning and occupations of these gentlemen further allowed such men to set themselves apart from others in the social hierarchy, as well as continue the monopoly of public office and control over land acquisition. The occupations of gentlemen, beyond that of planter, would shape concepts of elite status and legal-rational legitimacy for their authority.[3] By the end of the eighteenth century, despite the Revolution placing greater emphasis on fostering collective approval rather than expecting it, such occupations created a way to gauge demonstrations of skill and ability, a gentry-defined meritocracy. In Kentucky, this is exemplified by the likes of William Sudduth and Daniel Boone, among others, attempting to forge careers in occupations previously limited to the educated elites. These men had accepted these occupations as a customary norm of authority in the social hierarchy. With landownership and involvement in political and legal affairs included as significant criteria for elite authority, it is unsurprising that acceptable occupations reflected this. Religious training certainly had an established position as an acceptable occupation for the English landed gentry, and, despite not having the same role in colonial societies, the retention of an educated ministry remained an important desire of colonial gentlemen. Arthur Campbell, a prominent landowner in the Virginia/North Carolina backcountry for example, went to great lengths to advertise for a 'Scotch clergyman educated in Aberdeen under Doctors' [sic] Campbell & Beattie.'[4] Religious training could be regarded as an acceptable occupation in an Anglican tradition – as it remained one of the few avenues to elite status out-with the gentry criteria. Likewise, throughout Virginia, as well as the Carolinas, physicians could also be regarded as 'acceptable,' particularly if they had completed their medical training abroad. In terms of influencing the social hierarchy and how authority was understood in

[3] Peter M. Blau, *Exchange and Power in Social Life* (New York: John Wiley & Sons, Inc., 1964). 68, 134, 200-02. Craig Matheson, "Weber and the Classification of forms of Legitimacy," *The British Journal of Sociology* 38, no. 2 (1987): 206-10. Oliver C. Cox, "Max Weber on Social Stratification: A Critique," *American Sociological Review* 15, no. 2 (1950): 225-26. Paul M. Harrison, "Weber's Categories of Authority and Voluntary Associations," *American Sociological Review* 25, no. 2 (1960): 233-34.

[4] While the advertisement does not specify the denomination of the 'Scotch clergyman,' due to the desired training location and Campbell's Scots-Irish heritage, an assumption can be made that he was advertising for a Presbyterian minister. Alexander Addison to Arthur Campbell, November 3, 1785, Arthur Campbell Papers, 1752-1811: Folder 3, Filson Historical Society Special Collections, Louisville, Kentucky (hereafter FHS).

Kentucky by the end of the eighteenth century however, the most appropriate occupations for gentlemen were surveying and the law. Both careers not only provided a potentially substantial income, but were most entwined with one of the key aspects of traditional authority: land. Without wishing to devalue the acceptability of religious and medical occupations among the gentry, surveyors and lawyers had greater scope to influence the development of hierarchy through the eighteenth century, and determine the legitimacy of authority throughout the backcountry.[5]

Surveyors, Surveying, and Traditional Authority

Surveying, the mathematical division of land for the purposes of ownership and taxation, had been practiced for millennia prior to the eighteenth century. The system at use in Virginia by this period had derived from the metes-and-bounds, or traverse method of English surveyors, to plot the boundaries of land. In England, the mathematical skills required would have been beyond the understanding of ordinary husbandmen, and as such would have elevated the status of surveyors based on their ability. However, prior to the eighteenth century, the surveyor's art had been limited to small areas of cleared land, and consequently the boundaries plotted merely confirmed what was already known.[6] In Virginia, where the engrossment of land in large quantities was a key aspect of elite authority, the role of the surveyor acquired a greater importance. Normally required to conduct surveys in uncharted wilderness, Virginian surveyors had greater scope in determining the boundaries of land and settlement to the benefit of themselves and other landowners.[7] George Washington considered surveying an important skill for gentlemen, as 'nothing can be more essentially necessary to any person possessed of a large estate.'[8] The importance of surveying to Virginian elites, and why a surveyor's position was much sought after, lay in the opportunities it offered to control settlement. This authority was especially important as settlement pushed into the backcountry regions and beyond. Surveyors, arguably, not only determined which grants were surveyed and when, but through such decisions, also determined who could become a gentleman. The importance of surveyors,

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[5] Rachel N. Klein, *Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808* (Chapel Hill and London: University of North Carolina Press, 1990). 154-55.

[6] L. Scott Philyaw, *Virginia's Western Visions: Political and Cultural Expansion on an Early American Frontier* (Knoxville: The University of Tennessee Press, 2004). 26-27.

[7] Warren R. Hofstra, "'The Extension of His Majesties Dominions': The Virginia Backcountry and the Reconfigiration of Imperial Forces," *The Journal of American History* 84, no. 4 (1998): 1282-83.

[8] George Washington to Jonathan Boucher, July 9, 1771, in, W.W. Abbot and Dorothy Twohig, eds., *The Papers of George Washington: Colonial Series*, 10 vols., vol. 8 (Charlottesville: University Press of Virginia, 1983-1995), 495.

and how the practice legitimised authority, reveals a great deal regarding the acceptability of the occupation.[9]

Theoretically, a county surveyor would have been able to wield significant authority within a community through their role in defining the boundaries of land. With land speculation an accepted route to genteel standing, as well as a way to increase existing status, having a surveyor as an ally could be extremely lucrative for all involved. Potentially, a Virginian surveyor had the power to reward friends, and at least inconvenience enemies, by exaggerating or understating the size of tracts. Having received a patent of over 118,000 acres of Augusta County land from the Crown in 1736, William Beverley delegated the development and sale to John Lewis. Lewis' son, Thomas, who would be Augusta's county surveyor from 1745 to 1777, used this patent to control the local real estate market and determine how the patent was surveyed for resale. Through his position, Lewis' retained nearly 32 per cent of the original acreage entrusted by Beverley. Such actions were not unusual, despite a 1710 proclamation attempting to prevent surveyors showing 'Undue preference.'[10] Added to this, surveyors had the authority to determine which patents were recorded, and when. Through his role, a surveyor could, theoretically, filter out those 'deemed unsuited' for gentry membership. While the official legislation regarding the duties of surveyors would argue against this view, the presence of time limits for conducting surveys and registering plats does suggest that a surveyor had a great deal of flexibility in the speed at which he worked.[11] Whether or not a county surveyor could exercise such independence when it came to determining the course of surveys is debatable, but the legitimacy of the authority a surveyor could exercise is not.

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[9] Christopher E. Hendricks, *The Backcountry Towns of Colonial Virginia* (Knoxville: The University of Tennessee Press, 2006). 10. Warren R. Hofstra, *The Planting of New Virginia: Settlement and Landscape in the Shenandoah Valley* (Baltimore: The Johns Hopkins University Press, 2004). 4, 112. Turk McCleskey, "Rich Land, Poor Prospects: Real Estate and the Formation of a Social Elite in Augusta County, Virginia, 1738-1770," *Virginia Magazine of History and Biography* 98(1990): 484-85.

[10] H.R. McIlwaine, ed. *Executive Journals of the Council of Colonial Virginia*, 6 vols., vol. 3 (Richmond: Davis Bottom, Superintendent of Public Printing, 1925-1966), 580-82. McCleskey, "Rich Land, Poor Prospects," 465-73.

[11] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 1 (New York: R. & W. & G. Bartow, 1823), 518-19. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 6 (Richmond: W.W. Gray, 1819), 33-37. Hendricks, *Backcountry Towns*: 10. Hofstra, *Planting of New Virginia*: 112.

In the backcountry regions of Virginia, a county surveyor could command, and expect, significant rewards in terms of wealth and social status. John Floyd, for example, was appointed the Transylvania Company surveyor by Richard Henderson, and received land grants out of fear he would otherwise locate Fincastle County land claims on the land Henderson sought.[12] Due to their status as gentlemen, backcountry surveyors based their authority on the criteria which defined the traditional norms of hierarchy. Influencing how the land was organised and distributed gave such men an opportunity to exercise authority over ordinary settlers, as well as benefit the landholdings of contemporaries and social betters. However, despite controlling local political offices, for much of the eighteenth century surveyors can best be described as junior partners of the great speculators. The surveyor monopolised authority locally, while assisting in the further acceptance of traditional norms based on land and land ownership. Yet, the legitimacy of the surveyor in this hierarchy, and the respectability of the occupation, was such that at least until the 1770s, surveyors were regarded as gentlemen by all concerned. Surveying allowed William Preston to dominate the hierarchy of Botetourt County by this period, and provided an avenue to associate with the great planters of the Tidewater and Piedmont, corresponding with George Washington regarding western lands.[13]

While social advancement was not barred to the talented sons of small farmers or educated immigrants – such a route was taken by Thomas Jefferson's father, Peter – a man had to be accepted as a gentleman for authority to be legitimate. The position of surveyor was such a respectable route for advancement.[14] Qualifying as a surveyor had as much to do with 'gentlemanly' credentials as actual ability in the surveyor's art. In Virginia, prior to 1779, the College of William and Mary had authority to determine who could hold office as a surveyor. However, despite the basis for training surveyors and examining their technical proficiency, the College would have also been concerned with examining their

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[12] Journal of Col. Richard Henderson, March 20 – July 12, 1775, Draper Manuscript Collection 1CC21-105 (hereafter DM). Lyman Copeland Draper and State Historical Society of Wisconsin, *Kentucky papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

[13] George Washington to William Preston, February 28, 1774 (copy), Preston Family Papers (1727-1896), Box 3: Folder 791, Virginia Historical Society Special Collections, Richmond, Virginia (hereafter VHS). Sarah S. Hughes, *Surveyors and Statesmen: Land Measuring in Colonial Virginia* (Richmond: The Virginia Surveyors Foundation, Ltd., 1979). 72, 85, 156.

[14] The son of a Welsh farmer, Peter Jefferson advanced his social status during the middle part of the eighteenth century through surveying commissions in Albemarle and Goochland Counties. Such commissions confirmed his gentry status amongst his peers. Peter's son, Thomas Jefferson, would also spend time as a deputy surveyor in Albemarle County during the 1750s. Gordon S. Wood, *Empire of Liberty: A History of the Early Republic, 1789-1815* (New York: Oxford University Press, 2009). 433. Hughes, *Surveyors and Statesmen*: 98, 105, 68-71.

qualifications as 'gentlemen.'[15] The social status of candidates was important to examiners, as the College would be providing legal-rational legitimacy to the appointees, and recognising the surveyors as gentlemen. The technical proficiencies of a candidate would have set them apart from ordinary settlers. As an expression of higher learning, the acceptability of a candidate as a gentleman, was crucial, despite the reality that many surveyors would have been taught their skills under private tuition, and not at the College of William and Mary. George Washington began his instruction at the age of fifteen, and many publications, such as William Leybourn's *The Compleat Surveyor*, provided the basis for much of the training.[16] Without such confirmation from the College, a surveyor could not invoke superior social status to legitimise his county authority. By exerting full control over the nomination, examination, and commission of surveyors and their deputies prior to 1779, the College of William and Mary could overlook certain technical deficiencies, provided a candidate could be accepted as a gentleman. The complete survey process, from the issuing of a certificate to entering the tract with the land office, could not have been legally completed if the surveyor did not have a commission. For a commission to be issued, a surveyor's 'qualifications' had to be examined by the College of William and Mary. As such, a commission as a surveyor not only provided the legal-rational legitimacy of the appointment, but also proved the legitimacy of a man as a gentleman. Therefore, with such emphasis on social status rather than technical proficiency, the business of surveying in the backcountry would have needed the collective acceptance of the surveyor as a gentleman.[17]

The qualification provided by the College of William and Mary, and the recognition of status this conferred, theoretically prepared younger gentlemen for the surveying of Virginia's expanding backcountry and their first appointments.[18] Such recognition would

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[15] Article XVI of the College of William and Mary's charter, authorised the college to collect one-sixth of all surveyor's fees in return for issuing commissions. Henry Hartwell, James Blair, and Edward Chilton, *The Present State of Virginia, and the College* (London: John Wyat, 1727). 69, 91-93.

[16] George Washington's Schoolbooks, vol.3, Washington Papers: Series 1A, Library of Congress Manuscript Division, Washington, D.C. (hereafter LOC). William Leybourn, *The Compleat Surveyor*, 5th ed. (London: Samuel Ballard, 1722).

[17] There were various legal requirements for commissioning surveyors and completing surveys in Virginia and Kentucky through the eighteenth century. In short, a survey could not be entered in the land office, and therefore legally recognised, unless the survey was signed by a qualified surveyor. Hening, *Statutes at Large*, 6: 33-38. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 10 (Richmond: J&G Cochran, 1822), 53-55.

[18] Philander D. Chase, "A Stake in the West: George Washington as Backcountry Surveyor and Landholder," in *George Washington and the Virginia Backcountry*, ed. Warren R. Hofstra (Madison: Madison House, 1998), 170-71.

have to ensure that a surveyor could adhere to Virginian legislation regarding how surveys were to be recorded and laid out. For example, a 1772 act required that all surveys be recorded by the true, and not the 'artificial or magnetic meridians.'[19] The available instruments of the day only registered the magnetic meridian, which varied. Surveyors therefore needed training in astronomy, or at least demonstrate enough ability to calculate the degree of variation in the needle to correct the measurement. However, despite the legislation designed to codify the process of surveying and recording a tract of land surveyed by an accredited surveyor, the system in practice was open to a great deal of flexibility. Having been accredited as gentlemen by the College of William and Mary, county surveyors could act with a great deal of autonomy, ignoring instructions when laying out tracts as an expression of their authority over backcountry lands. Irregularly shaped surveys were common as surveyors sought to provide their clients with the choicest pieces of land, and accuracy was often hampered by inadequate equipment and measuring techniques (Fig. 2.1). Many other circumstances could also hinder surveys. Daniel Boone, for example, was unable to complete one survey for John Overton, after losing his equipment.[20] Despite the technical issues, the legal-rational legitimacy provided by a commission from the College of William and Mary allowed surveyors to monopolise authority within their communities and, therefore, provided the potential to control the development of a region. Regardless of ability, because surveyors were regarded as gentlemen, the authority of the survey was more likely to be accepted as legitimate during frequent legal disputes. However, as settlement continued to push west, changes to the accreditation system arguably changed the nature of surveying, how it was practiced, and where the legal-rational authority was vested.

[19] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 8 (Richmond: J&G. Cochran, 1821), 526-27.

[20] Daniel Boone to John Overton, July 28, 1786, Daniel Boone Papers: Folder 2, Kentucky Historical Society Special Collections, Frankfort, Kentucky (hereafter KHS).

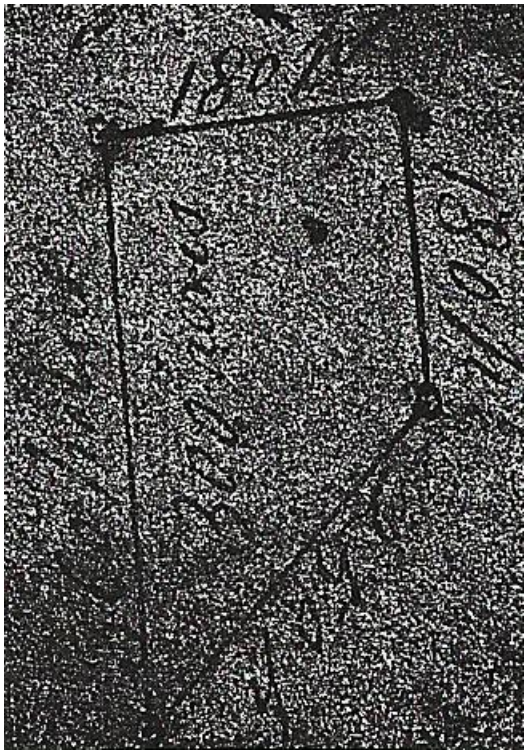

Figure 2.1. Daniel Boone's Survey Notes, DM26C19-21. Image courtesy of the State Historical Society of Wisconsin (hereafter SHSW).

While surveying was regarded as a gentlemanly occupation and contributed to traditional social structures, the practice of surveying arguably required an element of backcountry woodcraft and frontier knowledge to succeed. What potentially made Virginian surveyors so powerful, and set them apart from their English counterparts, was that their surveys were conducted in a predominately uncharted wilderness.[21] The metes-and-bounds, or traverse method of surveying utilised in Virginia, aside from requiring the mathematical skills to calculate the size of a tract, marked the corners of a tract by cutting lines-of-sight, based on a compass reading. The distance between the corners was then measured in poles – two poles joined by a length of chain – to define the boundaries. The corners themselves were often distinguished by blazing marks on trees, or carving them in rock as witness (Fig.2.2). Such practices would produce numerous inaccuracies through the choice of corner markers, despite the codes surveyors were expected to adhere to for clear title to be secured. After a land certificate had been issued and registered for a valid warrant, a surveyor was required to confirm the location, survey the tract, and draw up a

[21] Philyaw, *Virginia's Western Visions*: 27. The argument for surveying practices throughout the American colonies developing into a 'creole science,' is something which has been developed by Mark L. Thompson, based on the increasing number of American publications of surveying textbooks during the eighteenth century. Mark L. Thompson, "'The Art of Surveying, Unshackled': Drafting a Creole Science in Anglo-America, c.1750-1800" (paper presented at the American Historical Association, 127th Annual Conference, New Orleans, Louisiana, January 3-6 2013).

plat which included a full description of the boundary markers and topographical features included in the tract; as well as the tract's shape. Only after this had been completed could the plat be entered by the surveyor with the land office.[22] Despite legislation defining the shape of tracts and how they were to be located, gentlemen-surveyors frequently deviated from standard practice when locating warrants. William Preston, who became established as a surveyor through the efforts of his uncle, John Patton, frequently displayed how surveying had to be adapted to the idiosyncrasies of the landscape.[23] During a survey in 1769, Preston – at the time county surveyor for Botetourt County – conducted a survey of a 240 acre tract for Daniel Chapman. Not only did Preston deviate from a square survey, providing a plat for a hexagonal tract, his record of the survey contained vague descriptions of the corner markers, and the use of 'white oak saplings' as witness trees to denote the boundaries. In another survey for John Boyd, Preston listed one corner marker as 'by a gully.'[24] Preston's survey notes display the actual practice of surveying, and that it was often easier to work around natural landmarks, rather than incorporate them into the tract.

[22] Daniel Boone to William Christian, August 23, 1785, Daniel Boone Miscellaneous Papers, FHS. Hening, *Statutes at Large*, 10: 57-58.

[23] Just as Preston was established in surveying by his uncle, John Patton, so Preston sought to establish his protégé, John Floyd as a surveyor. W. Cabell, Jr. to William Preston, December 27, 1769. Preston Family Papers, VHS.

[24] Daniel Chapman Survey, April 6, 1769, William Preston Survey Book: 1768-1769, Preston Family Papers, VHS. John Boyd Survey, April, 1769, William Preston Survey Book, VHS.

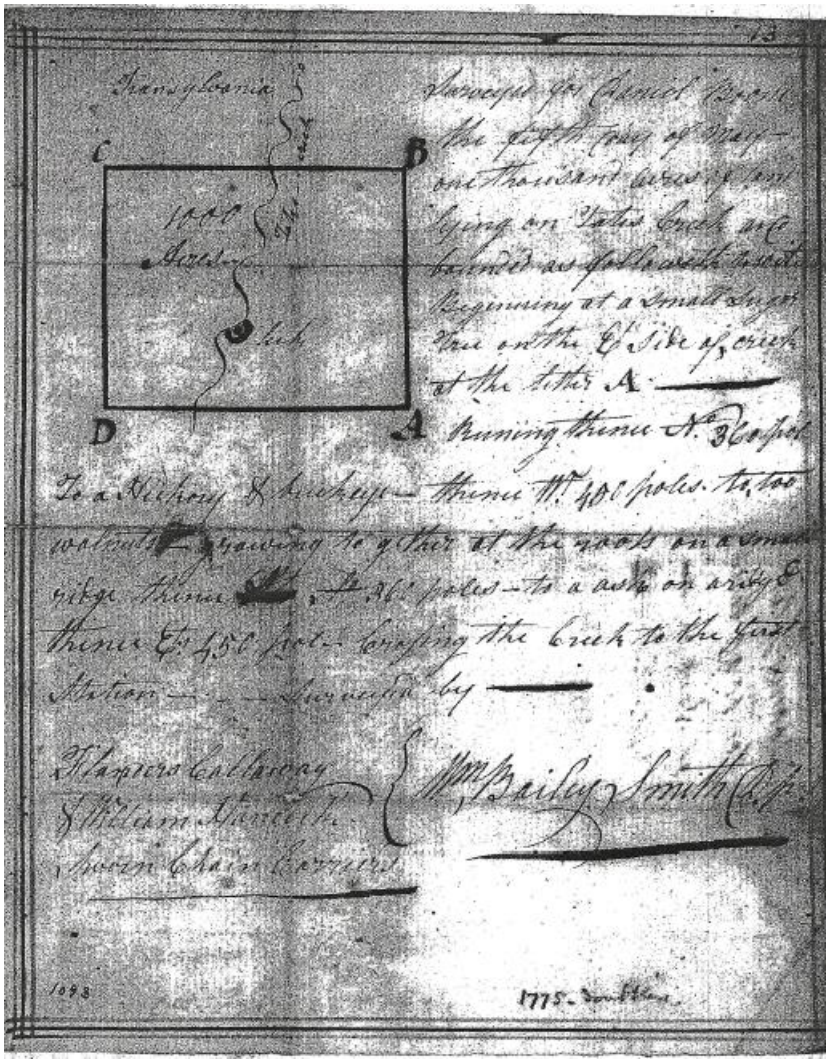

Figure 2.2. William Bailey Smith Survey, 1775, DM25C13. Image courtesy of the SHSW

Despite the training and technical ability of backcountry surveyors confirming them as local elites, the embodiment of traditional authority within their community, many concessions made in the size and shape of surveys can be put down to the limits of their equipment. As mentioned previously, the 1772 act requiring all surveys be completed by the true, rather than magnetic, meridian demanded a level of precision which could not be achieved with contemporary equipment. However, the demands of the landscape and the challenging nature of the work also played a role within the accuracy of surveys. While surveyors practicing before 1772 would have simply followed the magnetic meridian when charting their directions, natural obstacles had to be taken into account when marking boundaries. Many young men in Virginia were provided with training in solving the particular demands of the backcountry landscape such as: determining the length of a line across an inaccessible area such as a marsh, or being able to locate position through triangulation. Such training was utilised when surveying shorelines and other irregular

shapes, a necessity in unsettled regions due to the lack of man-made boundaries. The equipment utilised therefore reflected the demands of the terrain, as gentlemen surveyors distinguished their authority in the field.[25]

Spending time 'in the field' gave, in some instances, gentlemen-surveyors greater knowledge of western lands for speculation. Particularly in the case of backcountry surveyors, such as Preston, this knowledge would have increased the opportunities to correspond with eastern speculators. Conducting surveys also offered gentlemen-surveyors an opportunity to display traditional status in these regions. The equipment carried into the wilderness was an automatic measure of status, as the surveyor's compass – or circumferentor – was expensive and required skill to use. This large piece of equipment – a magnetic compass housed in a brass case with open sights – stood atop a tripod, allowing the surveyor to track sightlines between corners. Alongside the compass, standard equipment included two poles connected by a length of chain, to mark the distance between corners (Fig.2.3).[26] While the two-pole chain used by Virginian surveyors was easier to manoeuvre in wooded terrain than the English four-pole equivalent, it, and the compass, still needed to be transported. A surveyor, as a result of the equipment, would not be able to conduct every aspect unassisted, and utilised a hierarchy within each survey. On a typical survey, while the surveyor determined the bearings of the boundary lines and recorded the essential data, two men acted as chain-carriers while another notched the corner markers. The chain-carriers and marker were required to swear oaths to the surveyor, promising to fulfil their duties.[27] As a result, surveyors often used people with local knowledge as chain-carriers and markers, a tactic which potentially increased the speed of some surveys. In 1783, for example, Robert Todd surveyed 400 acres in Fayette County for Benjamin Netherland, the man Todd employed to mark the boundaries was well acquainted with the landscape; it was Netherland himself.[28]

[25] Washington's Schoolbooks, vol.3, Washington Papers, LOC. Chase, "A Stake in the West," 164-65.
[26] William Calk brought such equipment with him when he migrated to Kentucky in 1775. Surveying tools and equipment, c.1770, Calk Family Collection, KHS.
[27] Hening, *Statutes at Large*, 10: 57.
[28] Benjamin Netherland Survey, May 12, 1783, Michael Stoner v. Richard Henderson Papers, 1775-1809: Folder 2, University of Kentucky Special Collections, Lexington, Kentucky (hereafter UKSC).

Figure 2.3. William Calk - Surveying Tools and Documents, Calk Family Collection. Image courtesy of the KHS.

Despite making use of local figures acquainted with the landscape, the gentleman-surveyor would have understandably assumed the overall authority. Not only did the commission convey legitimacy on the gentleman-surveyor's authority, but authority would be further confirmed with the possession of the correct equipment, and the knowledge to make the necessary calculations. However, there were practical reasons for utilising the services of local men to locate backcountry lands and act as chain-carriers, particularly in Kentucky. Primarily, the distance involved, and the number of land claims, would make it impractical for many county surveyors to conduct the work personally, leaving many of the decisions up to their deputies. Second, for large speculators there would also be the issue of legitimacy. A legitimate survey in Fincastle County, for example, could only be completed by a surveyor with a Fincastle County commission. Eastern speculators could, therefore, secure the services of commissioned surveyors to locate and survey their land warrants, and also employ them to purchase, and register, further land certificates. Such relationships may have affirmed gentility, yet, another factor to take into account would be the conditions surveyors were required to work in.[29] During a 1773 expedition to survey

[29] As a Williamsburg merchant with no way to legitimately conduct his own surveys, Samuel Beall made full use of his relationship with John May, when it came to speculating in Kentucky lands during the 1780s. Beall had the financial resources to purchase certificates, while May had the authority to register, locate, and survey them. John May to Samuel Beall, January 9, 1783, Beall-Booth Family Papers, 1778-1953: Folder 3, FHS.

land in Kentucky, James and Robert McAfee kept journals which detailed the difficult, and often dangerous, conditions they had to work in, due to the weather and potential Indian hostility. With bad weather, an unfamiliar landscape, and the threat of attack, having experienced woodsmen to assist in the locating and marking of surveys would have, arguably, made the work more efficient.[30] However, surveying was still collectively accepted as a position of authority. Surveyors were gentlemen, and gentlemen were surveyors. Yet the practical necessity of hiring backcountry men as chain-carriers and markers further articulates the understanding of surveying as a path to status. In making use of local men as assistants, the gentleman surveyor was providing such men with the opportunity to observe the skills of surveying.

Daniel Boone is arguably the most renowned of these frontier woodsmen to gain experience of surveying by acting as a locator and chain-carrier. Boone's services were in particular demand as interest in Kentucky increased during the 1770s, and he located land for the Hart Family and, reputedly, John Filson, among others. Boone was far from alone in attempting to gain surveying experience by capitalising on a need for regional knowledge and woodcraft.[31] William Calk essentially taught himself to survey land on his family's Virginia farm, having purchased a surveyor's compass. By the time Calk migrated to Kentucky in 1775, he had become a proficient surveyor, practicing the necessary skills on his own land.[32] However, despite developing the necessary knowledge and skills through observation and practice, the abilities and surveys of backwoodsmen were not recognised as legitimate. In order for a survey to have any legal authority, it had to be signed by a commissioned surveyor. However, as settlement pushed further west, and the number of land warrants increased, changes were made to the appointment of surveyors, and where their authority emanated. Beginning in May, 1779, the Virginia Assembly passed a series of acts which gradually eroded much of the College of William and Mary's authority. Under the new legislation, the authority to nominate county surveyors passed to the county courts, with the College retaining the right to examine qualifications. By 1781, the authority of the College was further eroded as the appointment of assistant surveyors passed to the

[30] James and Robert McAfee, while not holding official surveying commissions, conducted their work alongside a Hancock Taylor, a Fincastle County deputy surveyor. The McAfee's may have conducted their own surveys, but Taylor confirmed them, legitimising the land claims. Journal of James McAfee, DM4CC1-12. Journal of Robert McAfee, DM4CC40-55.

[31] Thomas Hart to [?], September 30, 1784, Colonel Thomas Hart Papers, 1767-1831, Box 1: Folder 1, UKSC. John Walton, *John Filson of Kentucke* (Lexington: University of Kentucky Press, 1956).

[32] Examples of William Calk's familiarity with surveying equipment, and how this equipment was procured, can be found in: Calk Family Collection: Series 2 – William Calk, 1758-1823, Box 1: Folders 6, 10 and 11, KHS.

county surveyor and local courts.[33] The original intention to provide the College of William and Mary with authority over surveying appointments was to provide a source of income, as the College received a commission for all surveys completed. However, with the legal-rational legitimacy of appointments passing to the local and county courts, such appointments became more political in nature. These changes potentially affected the accuracy of surveys, as any surveyor who wished to keep his job would be 'tempted to turn in surveys beneficial to those responsible for his appointment.'[34] The changes, however, did allow for the possibility for ordinary settlers to gain appointments based on their local standing, and not gentry credentials, as well as altering how qualifications were assessed.

The business of surveying could be a dangerous, yet potentially lucrative, prospect. The threat of Indian attack and the difficulties posed by Kentucky's landscape make it possible to argue that, with exceptions, most of the land was surveyed by locally-appointed men. This would certainly hold true for the surveyors appointed during the 1780s, as such changes allowed skilled woodsmen a chance to exert their knowledge of the landscape. Skilled woodsmen may have had a greater knowledge of the landscape, and therefore had the opportunity to locate claims more accurately, if not always the ability, yet the threat of Indian attack also had an effect. Frontier Big Men established their reputations based on acts of bravery, and John Floyd recalled the effect the Indian threat had on Kentucky by 1780. Under such conditions, with time limits on the survey process, in order to ensure land was surveyed and registered would require men willing to risk the dangers. In many cases, the likes of Daniel Boone and James Harrod were willing to go where others would not.[35] For example, in 1782 Daniel Boone received a deputy surveyor commission from the Fayette County Court, and became one of 95 deputies working under the County Surveyor, Thomas Marshall.[36] Despite there being numerous deputies, having a commission legitimised any surveys conducted, and Kentucky deputies could exercise a great deal of authority over the timetable and location of their surveys. Deputies had control over the hiring of surveying crews and their payments for work carried out. Depending on the number of surveys conducted in a particular year, a man such as Boone had the potential

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[33] Hening, *Statutes at Large*, 10: 50-65, 353.

[34] Mary K. Bonsteel Tachau, *Federal Courts in the Early Republic: Kentucky, 1789-1816* (Princeton: Princeton University Press, 1978). 172.

[35] John Floyd to William Preston, February 20, 1780, DM33S317-318. John Floyd to William Preston, June, 1780, DM33S318-319. John Mack Faragher, *Daniel Boone: The Life and Legend of an American Pioneer* (New York: Henry Holt and Company, 1992). 246. For a further discussion of the criteria which defined the frontier Big Man see chapter three.

[36] B.R. Salyer, "Early Kentucky Surveyors and Deputy Surveyors," *Kentucky Secretary of State, Land Office, Journal, Articles*, http://sos.ky.gov/land/journal/articles/earlysurveyors.htm.

to earn vastly more than he would farming – between seventy-five and one hundred pounds in just one year.[37] In 1786, having deducted the cost of provisions, wages, and registration fees, Boone was left with over nine pounds in profit for eleven days of surveying for John Overton.[38] However, while relaxing the appointment criteria allowed non-elite men to legitimately conduct surveys, their acceptance as 'gentlemen' under traditional norms for authority is open to question; as is the quality of the surveys they produced.

Asserting that the removal of authority from the College of William and Mary affected the quality of surveys is a well-known historiographical argument. Unlike earlier in the eighteenth century, surveyors in Kentucky did not require any particular qualification to hold office as a deputy, particularly until Transylvania University was founded. Arguably, Boone's qualifications for deputy surveyor amounted to little more than his wilderness experience and prominence as a militia officer. His reputation was well-established in the region.[39] In 1787, William and Mary's authority was eroded further, as legislation provided Transylvania Seminary with authority to appropriate one-sixth of surveyors' fees in the Kentucky District. By 1790, for the 'convenience' of Kentucky surveyors, Transylvania's board of Trustees was given authority to examine the qualifications of surveyors, based on the recommendations of the county court. Many on Transylvania's board of trustees were also members of their county courts, and as such, were arguably examining the qualifications of men they had nominated, regardless of technical proficiency.[40] As the appointments were now more political in nature, the need to prove technical ability – while never of prime importance – was relegated further. Appointing a popular backwoodsman, such as Boone, would have increased the collective approval for those who appointed him,

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[37] Faragher, *Daniel Boone*: 240-41.

[38] For John Overton's 1786 survey, Boone charged a total of £26.17.8$^{1/2}$ for the surveying trip. After deducting the cost of registering the survey with the land office, buying provisions and paying his chain crew, Boone was left with £9.3.8 in potential profit. Daniel Boone to John Overton, July 28, 1786, Daniel Boone Papers, KHS. A copy of the letter from Boone to John Overton, made by Lyman Copeland Draper, is included in DM14C81-81^{1}. Daniel Boone, Lyman Copeland Draper, and State Historical Society of Wisconsin, *Daniel Boone papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

[39] Faragher, *Daniel Boone*: 238-40.

[40] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 11 (Richmond: George Cochran, 1823), 282-87. ibid., 12: 642. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 13 (Philadelphia: William Brown, 1823), 180-82, 291-92.

thereby increasing the acceptance for traditional authority in the region.[41] The lack of necessary qualifications, however, can pose issues when it comes to assessing the abilities of surveyors by the end of the eighteenth century. Despite the surveying notes of Daniel Boone and William Calk containing a level of detail which matches, and often exceeds, the quality of many gentlemen surveyors, such as Preston, there is the propensity for the surveys of backwoodsmen to be of lesser quality and accuracy. Boone's survey notes, especially, include numerous surveys with multiple corners, not just simple squares (Fig.2.4).[42] Much of this is due to the lack of equipment with accounts existing of surveys conducted without a compass, and hemp or buffalo tugs used in place of chains. One backwoods-surveyor was reported to have recorded his survey notes on the leg of his buckskin breeches, others chose to 'invent' their records completely – choosing to complete their surveys by the comfort of a fireside, rather than brave the wilderness.[43] Such 'chimney corner' surveys implied untrustworthiness, and were a favoured accusation whenever a claim was challenged in court. As such, the legal-rational authority conferred upon surveyors, whether they were considered gentlemen or not, meant that they were often called on to defend their surveys and justify their authority.

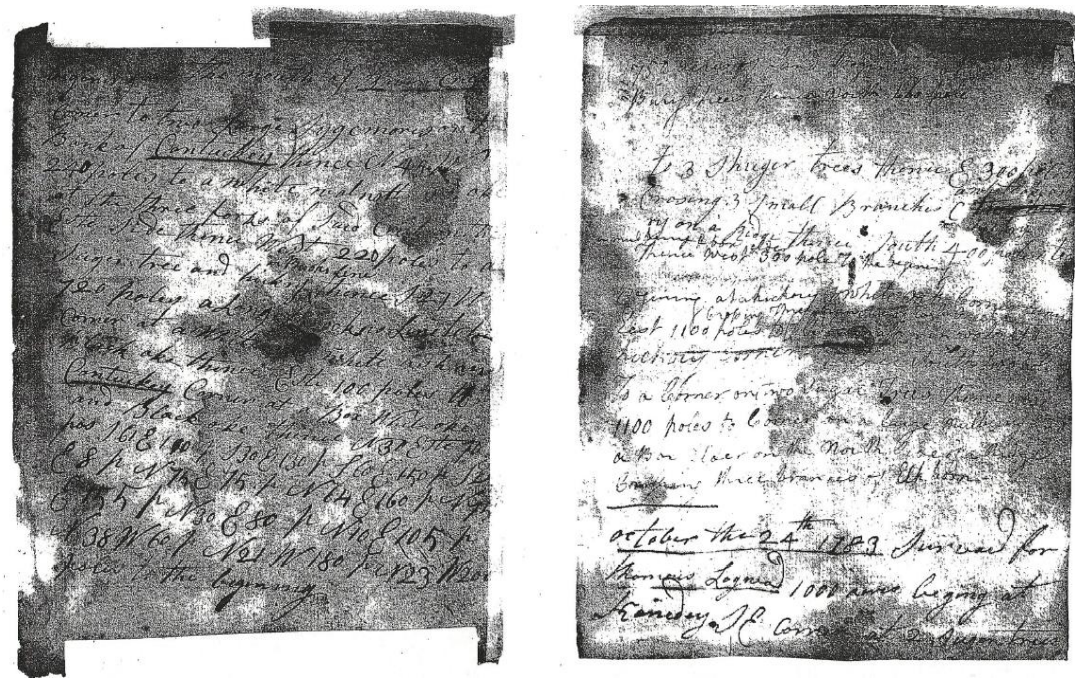

Figure 2.4. Daniel Boone Survey Notes c.1783-1788, DM26C22-24. Image courtesy of the SHSW.

[41] Bonsteel Tachau, *Federal Courts*: 172.
[42] Survey Notes and Land Plats, 1780-1789, Calk Family Collection: Series 2, Box 2: Folder 18, KHS. Daniel Boone Survey Notes c.1776, DM25C29-49. Daniel Boone Survey Notes c.1783-1788, DM26C9-11, DM26C13-17, DM26C18-57, DM26C73-110.
[43] John Dabney Shane interview with William Risk, DM11CC87 (hereafter JDS).

By the 1780s, the inclusion of backwoodsmen such as Daniel Boone in surveying positions introduced a significant dynamic regarding how status was understood. The inclusion of men such as Boone represented a growing acceptance of charismatic authority amongst the settlements. As a political statement, their appointment as deputy surveyors can be understood as a means for elites to gain local approval and acceptance for their authority (Figure 2.5). As Kentucky developed by the 1780s, allowing backwoodsmen legitimate surveying positions did not necessarily detract from the occupation as a criteria for gentility. Very few of the backwoodsmen to hold deputy commissions in Kentucky ever advanced beyond this office, therefore hierarchical distinctions could be maintained and enforced in a region where the traditional basis for legitimate authority was in flux. William Sudduth represents one of the few early settlers who advanced to a position as county surveyor. First appointed a deputy for Fayette County in 1782, Sudduth was named county surveyor for Clark County in 1797, and had Daniel Boone as one of his deputies.[44] All surveyors, however, whether county surveyor or deputy, were required to take oaths of office, provide security bonds, and present their survey books for inspection on a yearly basis. By providing the surveys conducted by these men with legal-rational authority, gentry officials were ensuring that they all would have to prove their authority, when challenged. Those who conferred surveying appointments also created the land system, and such a system allowed a fusion of gentlemanly surveying with another acceptable occupation to further monopolise traditional concepts by the end of the eighteenth century: the law.[45]

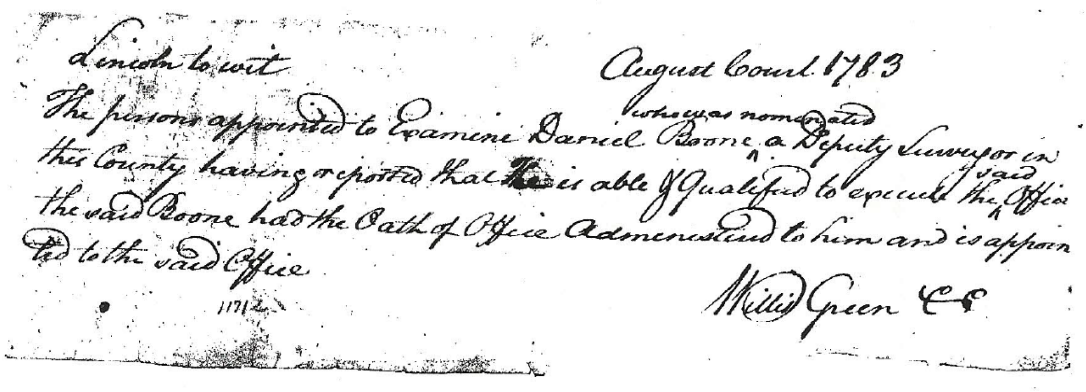

Figure 2.5. Deputy Surveyor Commission – Daniel Boone, August, 1783, DM25C81. Image courtesy of the SHSW.

[44] JDS interview with William Sudduth, DM12CC63. Salyer, "Early Kentucky Surveyors and Deputy Surveyors".
[45] Hening, *Statutes at Large*, 10: 53. Bonsteel Tachau, *Federal Courts*: 175.

The Law, Land, and Legitimising Authority

Surveying could be an extremely lucrative profession during the latter half of the eighteenth century. Surveyors collected fees regardless of the accuracy of their work, and such business offered the chance to speculate in land, increasing one's own holdings. Throughout backcountry regions, where hard currency was scarce, land certificates and warrants could be exchanged as payment, and surveyors often took a percentage of the surveyed tracts as their fee – known as 'the customary price.' By utilising 'the customary price,' John Floyd, George May, and John May, gained 68,675, 75,542, and 76,065 acres respectively, from over 50 surveys ranging in size from 50 acres, to 80,000 in 1783.[46] Despite the potential to increase landholdings and benefit financially, the variable abilities of surveyors, combined with the scarcity of currency, began to wreak havoc with land claims. Virginia had used land grants as a way of paying soldiers during the Seven Years' War and Revolution, and as a result had awarded nearly double the available land in Kentucky by the 1780s. Added to this influx of valid warrants were also equally valid pre-emption claims for settlers who had arrived in the region prior to 1779.[47] As a result of the land policies, numerous certificates, and variable surveying skills, Kentucky, especially, became a confused maze of overlapping, 'shingled,' tracts. With the practice of marking the corners of tracts to define the boundaries, it would have been possible to shingle tracts without realising any overlap until much later, regardless of the abilities of the surveyor. With total warrants exceeding the available land, conflicts and disputes would have been inevitable. However, the chaos over Kentucky lands lay not with the surveyors, but those who created the system, with the Virginia Assembly showing little regard for the impact of its land legislation. The first attempt to resolve any conflicts and issues saw the establishment of a land commission in Kentucky during 1779. After six months, having reviewed over 1,400 cases, the commissioners declared their work completed and returned to Virginia.[48] Accompanying legislation from May, 1779, enacted four steps to secure clear title including: obtaining a warrant, entering the warrant, surveying the specific tract of land, and returning the survey plat and entry to the land office. Having completed this

[46] Land List, 1783, KHS. Robert Breckinridge to Samuel Beall, August 5, 1791, Beall-Booth Family Papers: Folder 9, FHS. *Federal Courts*: 169.
[47] Hening, *Statutes at Large*, 10: 35-65.
[48] William Fleming's Journal, Kentucky, 1779-1780, DM2ZZ74-75[31]. Draper and State Historical Society of Wisconsin, *Virginia papers*. Joan E. Brookes-Smith, *Master Index: Virginia Surveys and Grants 1774-1791* (Frankfort: Kentucky Historical Society, 1976). Neal O. Hammon, *Early Kentucky Land Records, 1773-1780* (Louisville KY: The Filson Club Publications, 1992).

process the patent was then issued to the land owner.[49] Such lengthy legislation sought to resolve any further conflicts, but time limits on each stage of the process arguably created more. Navigating the legalities provided many gentlemen with a way to demonstrate their authority, and question the authority of others.

In considering the impact of time limits on proving clear title, surveying and the legal profession can be seen as entwined professions, whereby the elites of society could exert authority and status. Throughout the American colonies during the eighteenth century, the law was an increasingly self-conscious profession, concerned with maintaining standards and enhancing social status.[50] As landholding existed as a central aspect of elite status and a way to legitimise authority, that surveying and the legal profession were entwined by the end of the eighteenth century is unsurprising. Such a relationship allowed a gentry monopoly of authority, and a way to establish an acceptance of traditional norms throughout the backcountry, especially in Virginia and Kentucky. In Kentucky, those with the ability to know, influence, and manipulate laws held the 'key to power' in the region.[51] With land laws incorporating time limits at each stage of the process, from locating, entering, surveying, and patenting tracts before title could be established – as well as various fees and taxes requiring payment – men with a mastery of the legal complexities could confirm the authority of some and remove authority from others. By 1779, the specifics of the Virginian land laws provided for several legal procedures for disputing original claims and gaining control of land.[52] Surveyors with knowledge of the legal complexities were often able to manipulate the system for their own benefit, as continual legal challenges eroded the efforts of backwoodsmen to establish the authority of their surveys.

Knowledge of the technicalities in the Virginia land laws set gentlemen-surveyors apart from their backwoods rivals by the 1780s. Many gentlemen surveyors in Virginia had studied law for a period, and of the western elite who studied law but did not practice, many were able to reap the benefits of their legal knowledge where land was concerned.[53] Legal training was not necessarily the aspect which set gentlemen surveyors apart in

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[49] William Littell, ed. *The Statute Laws of Kentucky; with Notes, Praelections, and Observations on the Public Acts*, 3 vols., vol. 1 (Frankfort, KY: William Hunter, 1809), 392-464.
[50] Peter Charles Hoffer, *Law and People in Colonial America* (Baltimore: Johns Hopkins University Press, 1998).
[51] Fredrika Johanna Teute, "Land, Liberty, and Labour In the Post-Revolutionary Era: Kentucky as the Promised Land" (PhD Thesis, Johns Hopkins University, 1988), 224-25.
[52] Hening, *Statutes at Large*, 10: 54.
[53] Gail S. Terry, "Family Empires: A Frontier Elite in Virginia and Kentucky, 1740-1815" (PhD Thesis, The College of William and Mary, 1992), 70-77.

conducting their business, but rather the family connections and dynamics which could exploit legal technicalities to the full. Families were able to take advantage of multiple positions to increase landholding, and challenge the holdings of others in court. The extended Preston-Breckinridge-Brown family provide a clear example of these dynamics. By the mid-1780s, brothers Alexander, Robert, James, and William Breckinridge followed in their uncle William Preston's footsteps, by establishing themselves as surveyors in Kentucky.[54] Meanwhile another Breckinridge brother, John, was establishing his legal practice, having studied law under George Wythe at the College of William and Mary. Between 1783 and 1788, nearly half of the Preston-Breckinridge-Brown males studied law under Wythe, as his earlier instruction of Thomas Jefferson made him a popular mentor for adolescent Virginians seeking legal training.[55] Such kinship connections, and wider social connections among the gentry, enabled them to stay informed of the complex land laws and the opportunities to challenge the claims of others. The correspondence between the Breckinridge brothers certainly offered them an advantage when it came to manipulating the legal system in Kentucky, asserting the legitimacy of gentry authority as they did so.[56]

Undoubtedly, due in part to the knowledge that fees had to be paid regardless of the accuracy of the survey, and that the business could prove extremely lucrative, it is understandable why gentlemen such as George Washington would undertake surveying careers. Surveying fees helped to fund the further acquisition of land, and maintain a genteel lifestyle. For western elites, beyond the financial benefits, surveying allowed a chance to cultivate connections with Tidewater gentry and be accepted as gentlemen in their own right. John May used his surveyor commission to conduct the land business of Samuel Beall in Kentucky, becoming a prominent member of the region's elite prior to his death in 1790.[57] The potential financial benefits also help explain why legal careers can also be considered acceptable occupations, and why such an occupation was closely tied to land. As with surveying, a law career helped gentlemen avoid the 'catastrophe of poverty,' and with the complexity of Kentucky's land titles, the law offered not only job security for

[54] Salyer, "Early Kentucky Surveyors and Deputy Surveyors".
[55] Francis Preston to John Breckinridge, December 6, 1784, Breckinridge Family Papers: Box 2, LOC. John Breckinridge to James Breckinridge, February 25, 1787, Breckinridge Family Papers: Box 3, LOC.
[56] Robert Breckinridge to John Breckinridge, June 23, 1789, Breckinridge Family Papers: Box 5, LOC. William Russell to John Breckinridge, June 29, 1790, Breckinridge Family Papers: Box 6, LOC.
[57] John May to Samuel Beall, December 1, 1786, Beall-Booth Family Papers: Folder 6, FHS. May's local status in Kentucky can be seen with the decision to rename the town of Limestone, which lay on land claimed by May, 'Maysville.' Lewis Collins and Richard H. Collins, *Historical Sketches of Kentucky: Embracing Its History, Antiquities, and Natural Curiosities, Geographical, Statistical, and Geological Descriptions; with Anecdotes of Pioneer Life, and More than One Hundred Biographical Sketches of Distinguished Pioneers, Soldiers, Statesmen, Jurists, Lawyers, Divines, Etc*, 2 vols., vol. 2 (Covington: Collins & Co., 1874). 569.

lawyers, but a chance to display and shape the legitimacy of their authority. By 1785, while his elder brothers were surveying in Kentucky, John Breckinridge was establishing his legal practice in Virginia. Over the next several years, Breckinridge established a legal reputation, no doubt based on training under George Wythe, and maintained a comfortable existence through his dual roles of lawyer and planter.[58] The training of lawyers varied greatly, but the law was regarded as a valued branch of higher learning, and gentlemen with legal training maintained positions of social authority. However, despite Breckinridge's established legal reputation and gentry standing, the Virginian bar during the 1780s was a crowded place with keen competition for clients. Letters from his brother, William, who had settled in Kentucky during 1783, provided a different landscape, a region with innumerable lawsuits and few lawyers. Kentucky offered Breckinridge, and other gentlemen, an opportunity to secure financial independence and a family inheritance, through the increase of land and the legal business arising from disputes.[59]

If authority can be defined during this period as being founded upon the accumulation of land and the size of holdings, lawyers and the legal system determined who legitimately held land, and, therefore, status. Lawyers, speculators and surveyors, through the cultivation of family connections, were often able to manipulate the 'rules' for their own benefit, casting doubt on the abilities and validity of rivals at the same time.[60] County organisation beginning in 1777, first with the creation of Kentucky County, and further county divisions from 1780 onwards, provided for the organisation of local and district courts to hear complaints and try cases.[61] From 1783, the Kentucky District Court heard numerous and lengthy land cases where surveyors were often questioned over the validity of surveys as witnesses, or sued by clients. For example the Fayette County Surveyor Thomas Marshall was indicted by John Martin for refusing to survey a tract of land in 1784. Several other indictments from the same year show that Marshall was demanding payment for entries before he would conduct surveys.[62] Many of the cases keeping lawyers employed and influential in determining the legitimacy of landownership

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[58] Montgomery Henry to John Breckinridge, May 3, 1788, Breckinridge Family Papers: Box 5, LOC. Robert Johnson to John Breckinridge, May 26, 1788, Breckinridge Family Papers: Box 5, LOC.

[59] William Breckinridge to John Breckinridge, September 5, 1784, Breckinridge Family Papers: Box 2. William Breckinridge to John Breckinridge, February 9, 1785, Breckinridge Family Papers: Box 2, LOC. John Floyd to William Preston, March 27, 1783, DM33S320.

[60] Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore and London: The Johns Hopkins University Press, 1996). 82-83.

[61] The Kentucky District Court was established by the Virginia Assembly in May, 1782, with jurisdiction over the Kentucky counties. Hening, *Statutes at Large*, 11: 85-92, 103.

[62] First Order Book of the Kentucky District Court, 1783-1786 (microfilm), 36, 42, 48. UKSC.

and authority, however, involved untangling the patch-work of shingled tracts, and determining who had the most valid ownership claims.

John Breckinridge was in much demand for his legal expertise by the time he permanently settled in Kentucky during 1793, and the opportunities extensive litigation offered partly lured a young Henry Clay west. The many intricacies for proving clear title enabled those with legal knowledge to exploit loopholes and technicalities. Denying ownership to some, and confirming it for others, increased their own prosperity at the same time.[63] Questioning the skills and abilities of surveyors was one tactic to achieve these ends. Having received commissions, Daniel Boone, Squire Boone, and William Calk certainly had a degree of legitimacy attached to their surveys, but such legitimacy had to stand up to scrutiny. The lack of equipment and mathematical skill may have reduced the quality of surveys in Kentucky and fostered a belief that Kentucky surveyors were only ever 'correct in their bearings' by accident. John May, in particular, disparaged the abilities and trustworthiness of James Harrod, when accusing him of locating land warrants fifty miles from their correct positions, affecting all other surveys in the region. For May, Harrod was 'one of the most unprincipled men living,' and would sign his name to anything.[64] However, with local reputations founded on their woodcraft and topographical knowledge, such men were sought out to locate land, and became targets when title was disputed. Constant court appearances not only decided title conflicts, but attacked the status of the witnesses, exposing any neglected legalities. As the number of land cases rose through the 1790s Daniel Boone was frequently called as a witness, in order to give depositions on the location of specific surveys. A series of depositions from the late 1790s show that Boone was required to prove the location of boundary markers on Plumb Creek, and explain how he came to locate the tract. Boone eventually became so disenchanted with litigants impugning his honour that he stopped appearing in court, or sent a proxy in his stead.[65] Squire Boone, likewise, was frequently required to provide depositions on the location of boundary markers throughout this period.[66] However, accurate surveying did not necessarily result in the best claim. Failure to adhere to time limits for entering a tract

[63] Caleb Callaway to John Breckinridge, March 19, 1793, Breckinridge Family Papers: Box 9, LOC. Isaac Hite to John Breckinridge, May 10, 1793, Breckinridge Family Papers: Box 9, LOC. Aron, *How the West Was Lost*: 83.

[64] John May to Samuel Beall, December 1, 1786, Beall-Booth Family Papers: Folder 3, FHS. Bonsteel Tachau, *Federal Courts*: 173.

[65] Daniel Boone Depositions (copies), DM4C83-97. Daniel Boone to [?], June 14, 1786, Daniel Boone Letter, KHS.

[66] Squire Boone Deposition, April 23, 1798, Squire Boone Papers: Folder 1, KHS.

often resulted in valid warrant holders losing their claim. As a result, many blamed the man entrusted to carry out the survey and necessary paperwork.

Recourse due to inaccurate locating and surveying, and failure to enter the survey in a timely fashion, could prove disastrous to a surveyor's reputation, particularly if he was not established as a gentleman. Not all incomplete surveys were necessarily the fault of the surveyor, as they usually waited until they had enough completed entries to make the trip to the land office worthwhile; and not all made it there. In 1780, Boone travelled to Williamsburg in order to purchase warrants for a consortium which included Thomas and Nathaniel Hart. En route to Williamsburg, Boone awoke after a night in a backcountry Inn only to find that he had been robbed of thousands of dollars. The consortium not only lost money, but the chance to purchase lands in Kentucky that had already been located.[67] John Floyd, the protégé of William Preston and widely considered one of the best surveyors in Kentucky during the 1770s, died in an Indian ambush in 1783, carrying warrants for his own clients and other surveyors. Boone lost thousands of acres worth of surveys when Floyd died, while his death also impacted on other surveyors who had relied on Floyd's abilities.[68] With so many steps and potential obstacles, until these claims came under challenge in court, many would have been unaware of a breakdown in the process. However, while an established gentleman-surveyor, such as Thomas Marshall, demanded payment before conducting a survey, others could not afford such a luxury. Boone was often short of cash and, as a way of displaying his honesty and integrity, would vouch for the accuracy of his surveys in correspondence and on plats, almost inviting clients to seek restitution if a claim was overturned.[69] In May, 1788, Boone was sued by three different men as a result of his 'promises,' losing each case. By the late 1790s, he was listening to multiple claimants impugn his honesty and charge him with 'inventing' surveys when providing depositions.[70] The gentlemen-lawyers and surveyors in Kentucky were able to capitalise on these challenges to discredit any authority backwoodsmen maintained through surveying and

[67] Lyman Copeland Draper interview with Nathan and Olive Boone, DM6S145-146 (hereafter LCD). Thomas Hart to Nathaniel Hart, August 3, 1780, DM33S324-325. Draper and State Historical Society of Wisconsin, *Draper's notes*.

[68] David Todd to Mann Butler, March 17, 1834 (copy), DM15CC125-126. John May to Samuel Beall, October 12, 1783, Beall-Booth Family Papers: Folder 3, FHS.

[69] Daniel Boone to Col. William Christian, August 23, 1785, Daniel Boone Collection, FHS.

[70] Bourbon County Court, Order Book A, 1786-1793 (microfilm), 133, 139, 161, 243, UKSC. JDS interview with William Risk, DM11CC87.

benefit their own clients. By ensuring that land cases were a lengthy process, those with the means to fund such challenges, and not the best claim, secured the land.[71]

As an acceptable occupation, a legal career allowed gentlemen to help define traditional concepts of authority in backcountry regions through court cases and judicial decisions. While the complexity and chaos of Kentucky's land titles proved irresistible and profitable to gentlemen-lawyers, the process of conducting legal business is more revealing in terms of legitimising authority and social position. Beyond the obvious financial benefits involved for ensuring that cases dragged on – as long, complicated, proceedings better justified the fee – lengthy cases played to those with the financial means to maintain litigation or defence.[72] Cases involving land claims had the potential to continue for decades before a clear decision regarding title might be reached, with heirs continuing litigation into the nineteenth century. A land dispute between Jacob Boone and James Hickman dragged on for over a decade, while the records of Michael Stoner's case against Richard Henderson for land under the Transylvania Company stretched from 1775 to 1809.[73] A case involving William Christian's claim to land on Bullitt's Lick continued well after Christian's death in 1786, with boundary disputes still a concern in 1805.[74] The decision to challenge the validity of a land claim was therefore a lengthy and expensive prospect. Having the financial means to maintain a challenge was arguably just as important as having the best claim under the land laws. John Floyd, for example, often threatened litigation when dealing with contested claims, regardless of whether his was the earliest claim.[75] Utilising the legal route helped the gentry maintain, or reinforce, social distinctions throughout America during the latter part of the eighteenth century, with wealthy gentry on the Maine frontier often invoking the threat of litigation to bring settlers to terms.[76] Building on the kinship connections, such tactics would ensure that the land claims of gentlemen were more likely to be deemed legitimate than the claims of other settlers. Regardless of who had the earliest claim to a tract of land, by putting pressure on the financial resources of ordinary settlers, gentlemen-lawyers and justices could ensure that an acceptance of traditional authority was infused with the necessary legal-rational

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[71] David Todd to Mann Butler, March 17, 1834, DM15CC126. JDS interview with William Risk, DM11CC87. Faragher, *Daniel Boone*: 246-47, 399.
[72] Aron, *How the West Was Lost*: 85.
[73] Stoner v. Henderson Papers, UKSC.
[74] Robert Emmett McDowell Collection, 1774-1869, Volume 1-3: Bullitt's Lick Papers, FHS.
[75] John Floyd to William Preston, October 6, 1775, DM33S285-288.
[76] Alan Taylor, *Liberty Men and Great Proprietors: The Revolutionary Settlement on the Maine Frontier, 1760-1820* (Chapel Hill and London: The University of North Carolina Press, 1990). 21.

legitimacy by exploiting the technicalities of the law in their favour. Such tactics further defined the status of gentlemen, and the criteria for their authority.[77]

The tactics employed by gentlemen in exploiting legal technicalities for financial gain, securing greater landholding, and reducing the legitimacy of rivals, were conducted in a manner which differed greatly from those by which many non-gentry defined authority. The tactics of lawyers can be likened to a poker game, where those with the financial means to call a bluff and raise the stakes possessed the advantage. Those with the resources retained the best lawyers, lawyers who knew how to 'manipulate circumstances to favour their clients.'[78] The emphasis on bluffing in poker corresponded to the technicalities of the law; in poker and the law, success accrued to players who did not have to reveal their hand, the best claim did not necessarily win. Such analogies to poker and games of chance are apt, when considering the law as an acceptable occupation for gentlemen. Arguably, the prevalence of gambling among elite Virginian society, and a preference for poker, was an attempt to emulate pastimes of the English landed gentry and portray the law as an extension of these pastimes. This is apt considering the precedent of English common law and English surveying methods for Virginian gentlemen.[79] However, the wider importance of such analogies to concepts of authority and legitimacy are telling in that the role of gentlemen-lawyers in land cases was essentially to further the legitimacy of the process. The court decided which surveys were valid, who could legitimately claim land and assume the authority that came with landholding. Including the law as an acceptable occupation for gentlemen by the eighteenth century allowed gentlemen an opportunity to ensure that all adhered to the same customary norms to legitimise authority. The need to define and enforce such norms became increasingly important in Virginia as the backcountry regions opened to settlement, weakening social structures and creating alternative means to demonstrate authority.

How gentlemen used their legal and surveying knowledge to define a traditional model of authority throughout the eighteenth century had a tremendous effect on how authority was claimed and legitimised. Max Weber defined traditional authority as 'the established belief in the sanctity of immemorial traditions and the legitimacy of the status of those

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[77] William Christian Land Grant, 1779 (copy), McDowell Collection, Volume 3: Bullitt's Lick Papers, FHS.
[78] Aron, *How the West Was Lost*: 86.
[79] T.H. Breen, "Horses and Gentlemen: The Cultural Significance of Gambling among the Gentry of Virginia," *The William and Mary Quarterly* 34, no. 2 (1977): 242.

exercising authority under them.'[80] Therefore, the importance of acceptable occupations as a criteria for gentlemen became essential to defining traditional authority in eighteenth century Virginia. An emphasis on higher learning furthered existing ideals regarding the gentry's suitability for authority, based on their independence from manual labour. Such ideals created clear distinctions between those qualified for such occupations, and those who were not. This created further acceptance of gentry monopolisation of the means to determine the legitimacy of authority. While the acceptable occupations of gentlemen, and routes to gentility, did not exclude medical or religious training as a means to demonstrate higher learning, they have not been given a full discussion here. Medical knowledge and training as a minister were important aspects of gentility for eighteenth century Virginians, and did set men apart from others on the social ladder. As a way to shape the definition of authority however, surveying and the law occupied more important positions in furthering the wider collective approval for the legitimacy of traditional authority. The importance of land to understandings of personal independence and freedom, and therefore status, allowed for surveying and legal offices to become increasingly entwined, determining who could benefit from the legitimacy landownership provided. County surveyors and their deputies, at least until the late-1770s, wielded significant power over the course of backcountry development through the legal-rational legitimacy their commissions provided. Even when the College of William and Mary no longer maintained this role, the authority of surveyors still emanated from a symbol of traditional authority in the county court. As surveyors enforced the authority of their office, conducting surveys and displaying their training and advanced equipment, lawyers enforced traditional authority in the courtroom.

Questions can be asked over the technical abilities of surveyors and lawyers, and how much impact the decision to allow county surveyors to appoint their own deputies had on the future legal problems in Kentucky. However, allowing the possibility of experienced woodsmen to forge careers as surveyors may have influenced the accuracy of surveys, but it arguably allowed gentlemen to enforce traditional concepts of authority. In order for land claims to be legitimate they needed to be issued, surveyed, and entered in a particular process. Ultimately, because of the myriad of claims and technicalities involved in completing a claim, land titles were often decided in court and lawyers exploited such technicalities. Demonstrating their legal knowledge, gentlemen-lawyers – many of whom had connections with prominent surveyors – decided the outcome of claims by questioning

[80] Max Weber, *The Theory of Social and Economic Organisation*, trans. A.R. Henderson and Talcott Parsons (London: William Hodge and Company Ltd., 1947; repr., 1964). 328, 41.

the abilities of backwoods surveyors. By continually calling for untrained surveyors, such as Daniel Boone, to confirm surveys in court, gentlemen-lawyers were questioning the legitimacy of their commissions as surveyors. If Boone's surveys were found to be at fault, or if a step had been overlooked in the process, his authority was discredited. By exploiting their legal knowledge, and the lack of it in others, gentlemen-lawyers and surveyors were able to increase their own status. Aside from the financial benefits that such occupations brought, the most significant impact was a wider acceptance of their authority. Despite the law being likened to a poker game, where the best hand did not necessarily triumph, the role of both occupations for the gentry was to further the acceptance of their authority as the customary norm, and therefore traditional. Such acceptance legitimised the tactics of the gentry, and ensured that all within the hierarchy essentially played by the same rules, followed the same procedures, and accepted gentry monopolisation of authority. However, such authority increasingly needed to be reintroduced and reasserted as settlement pushed west during the second half of the eighteenth century. Throughout the backcountry regions of Virginia and elsewhere, authority did not necessarily emanate from traditional understandings. Increasingly among backcountry communities, authority was defined by displays of dramatic action and ability. Participants in this scenario demonstrated their authority directly and openly, basing the legitimacy of their authority on the collective approval of the community for their abilities. Where traditional structures were weak, the authority of the charismatic 'Big Man' defined legitimacy.

Chapter Three

'Who Evinces the Most Fortitude': Hunting and the Frontier 'Big Man'

As Virginian gentlemen were affirming their social position during the eighteenth century, and defining a legitimate claim to authority based on criteria which assumed the role of traditional social norms, different criteria was rising in importance throughout backcountry areas of the colony. As settlement pushed into the Virginia backcountry, charismatic authority could be legitimately claimed where traditional structures were weak, or no longer sufficed. In such a context it is possible to explain the rise in importance of the frontier 'Big Man' as an authority figure among newly established backcountry communities. Unlike traditional gentlemen, these Big Men defined their legitimacy based on different criteria: namely the use of skill and decisive action to gain the collective approval of settlers.[1] This chapter discusses the growth of hunting among backcountry communities and its cultural importance to local needs. Such a culture contributed to the criteria for understanding masculine identity, necessitating continual demonstrations of skill and bravery as a way of gaining collective approval. As a result, the demands and importance of hunting secured the legitimacy of the frontier Big Man through charismatic collective approval, and as a masculine ideal. Much like the ways in which gentlemen set to define and monopolise acceptable 'occupations' such as surveying and the law, hunting – and the development of commercial hunting – allowed Big Men to gain collective approval through demonstrations of their ability. Hunting occupied a difficult place in an eighteenth century understanding of societal development. Hunting for sport was a recognised gentry pastime, while subsistence hunting represented the 'lowest and rudest state of society.' Yet, western expansion contributed to the growth of a hunting culture among the 'common folk' of these regions, including western areas of Pennsylvania and the Carolinas, and as the eighteenth century progressed hunting became a viable economic activity; an economic activity which would greatly influence the settlement of Kentucky.[2] While the acquisition of

[1] Craig Matheson, "Weber and the Classification of forms of Legitimacy," *The British Journal of Sociology* 38, no. 2 (1987): 213.
[2] Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (New York: W.W. Norton & Company, 1982). 13-47.

land was a driving force behind many decisions to settle on the frontier, and an affirmation of a traditional route for social advancement, commercial hunting came to offer an alternative route for some towards increasing status, and legitimising authority.

How hunting developed as a subsistence and commercial activity, how it contributed to expressions of collective approval to legitimise authority, and how this would influence the hierarchy of Kentucky, are key themes which need to be addressed. Similar to the definition of a gentleman from chapter one and the importance of 'acceptable occupations,' defining a frontier Big Man required specific achievements to attain in order for a claim to charismatic authority to be seen as legitimate. The growth of hunting as a subsistence exercise in Virginia is important to any discussion, as it provides a context to explain the arena in which commercial hunting was made possible. However, while traditional authority can largely be defined in terms of physical possessions, the acquisition of land, fashionable items, and architecture, defining frontier Big Men contains a greater emphasis on demonstrations of skill and action, rather than acquisition. Central to such discussions is the role that interpretations of manliness and masculine identity play in defining the charismatic Big Man. Much like gentlemen, the Big Man is a restricted status with successful candidates able to use their achievements to differentiate themselves from other settlers. True manhood is a test, and real men are made, not born. For the authority of the charismatic Big Man to be legitimate, he must, therefore, be able to inspire belief in his abilities from other settlers. Hunting offered an opportunity for authority candidates to differentiate themselves from other settlers, as well as gain the necessary collective approval and leadership experience to be legitimately regarded as authority figures. These were authority figures very different to the traditional norm offered by gentlemen. How hunting traditions were created in the backcountry, how the practice contributed to masculine identity and understandings of authority, and how such authority was exercised, all contribute to understanding a definition of charismatic authority and defining the frontier Big Man. In addition to this can be added how hunters were regarded by settlers and gentlemen alike. True manhood was a restricted status and some men failed the test; all frontiersmen were pioneers, but not all pioneers were frontiersmen.[3]

[3] David D. Gilmore, *Manhood in the Making: Cultural Concepts of Masculinity* (New Haven: Yale University Press, 1990). 14, 17. For a further discussion of masculinity and masculine identity see the introduction.

Hunting Traditions

Prior to the first generation of settlers spreading into the backcountry regions of Virginia and Pennsylvania during the early eighteenth century, many would have been unfamiliar with the practice of hunting. As a result hunting would have contributed little to a family's subsistence.[4] This would certainly be accurate when describing first generation settlers, but a period of adaptation in hunting would have applied to all, due to the nature of the landscape and the prevalence of domesticated animals in more eastern regions. Few migrants would have brought a hunting tradition with them to the backcountry.[5] A class status was still applied to hunting in many European countries, and in England especially, game laws had evolved to restrict the rights to hunt game to the landed classes. In a society stratified by landownership, only the gentry 'qualified' for such pursuits. Under the English game laws, hunting was a privilege of rank, and such laws served to exclude up to ninety-nine per cent of the population from not only hunting, but also from legally owning firearms and certain breeds of dogs – for example, lurchers.[6] As a deterrent to the lower classes, the English game laws carried varying penalties depending on the animal targeted; a precedent which would be replicated in colonial game laws – though they would never be as repressive. Under these laws a simple 'poacher' – for hunting was a genteel pastime – risked a fine of £5 or three months in prison; a 'deer-stealer' risked transportation to the colonies for seven years if convicted. The maximum penalty for would-be assailants under the game laws, which had been in existence since 1485, made stealing deer, if armed and disguised or at night, a capital offence.[7] With such penalties under these 'bloody codes,' it is little wonder that there was a lack of a cultural heritage surrounding hunting among first generation settlers. With so much of colonial Virginian society, prior to the Revolution, based on the emulation of the traditional norms of the English landed gentry, that hunting was able to develop as a commercial enterprise does say a great deal about how such traditional norms had been altered; as well as how a cultural heritage was developed.[8]

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[4] Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore and London: The Johns Hopkins University Press, 1996). 21.

[5] For a discussion on the importance of domestic livestock in the early settlement of North America see: Virginia DeJohn Anderson, *Creatures of Empire: How Domestic Animals Transformed Early America* (New York: Oxford University Press, 2004).

[6] P.B. Munsche, *Gentlemen and Poachers: The English Game Laws 1671-1831* (Cambridge: Cambridge University Press, 1981). 5, 28, 169-86.

[7] E.P. Thompson, *Whigs and Hunters: The Origin of the Black Act* (London: Allen Lane, 1975). 21, 58, 191.

[8] Stephen Aron has described the game laws in effect in England during the eighteenth century as repressive 'bloody codes.' However, they are also often referred to as the 'Waltham Black Acts,' or the 'Black Acts.' These acts, added to the hunting laws in 1723, effectively reactivated the use of capital punishment for stealing deer. Aron, *How the West Was Lost*: 14-16.

Unlike the repressive measures enacted to deter potential transgressors, Virginian game laws were not as extreme as their English precedents. Virginian hunting laws contained none of the 'bloody codes' reminiscent of the Black Acts, and were likely to institute fines for miscreants, with prison sentences a possibility in the likelihood of non-payment. Yet the most distinctive difference in the attitudes of Virginian lawmakers was an acceptance of a need to hunt among the general population; thereby creating a distinction between hunting for sport and hunting for subsistence.[9] Allowing non-elite men in Virginia the opportunity to freely hunt deer and other animals during set seasons, altered the traditional understandings of such game, while simultaneously maintaining restricted access. Early hunting laws from the Virginia Assembly sought to place some form of private property on deer by forbidding their killing on another man's land without permission – unless the hunt had begun elsewhere. In 1642 the penalty for such infringements was 400 pounds of tobacco.[10] By the 1730s, such legislation had been altered to enact a strict season for hunting deer – August 1 to November 30 – with a provision stating that male settlers on the frontier may kill deer for the 'necessary subsistence of himself or family.' Settlers were also exempted from fines if they killed deer which had intruded into their fields.[11] Yet, there was a practical reason behind Virginian hunting legislation, beyond the specific acts involving deer. Virginian legislation provided bounties for killing wolves and many other threats to livestock and crops, such as squirrels and crows. While acknowledging the need for subsistence, Virginian hunting laws fostered a community service, as well as a familiarity with the practice.[12] Ultimately subsistence needs dictated the difference between the Virginian and English game laws, and such acceptance of a

[9] The provision for fining illegal hunting in Virginia had been developed from provisions in effect in England since 1562. Various acts seeking to limit the killing of deer for skins – mainly as the rotting carcasses attracted wolves – whilst allowing for subsistence hunting, continued in Virginian legislation throughout the eighteenth century. Allan Kulikoff, *Tobacco and Slaves: The Devlopment of Southern Cultures in the Chesapeake, 1680-1800* (Chapel Hill and London: University of North Carolina Press, 1986). 219-20.

[10] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 1 (New York: R. & W. & G. Bartow, 1823), 248.

[11] *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 5 (Richmond: W.W. Gray, 1819), 60-62. See also, William Littell, ed. *The Statute Laws of Kentucky; with Notes, Praelections, and Observations on the Public Acts*, 3 vols., vol. 2 (Frankfort, KY: William Hunter, 1810), 548-61.

[12] Hening, *Statutes at Large*, 1: 199. John Dabney Shane interview with Isaac Howard, Draper Manuscript Collection 11CC253 (hereafter JDS and DM). Lyman Copeland Draper and State Historical Society of Wisconsin, *Kentucky papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

need to hunt for subsistence, and seasonal opportunities for commercial gain, continued in the hunting legislation. Enacting seasonal restrictions on hunting deer, which by the eighteenth century included complaints about commercial hunters wasting meat, gave those on the frontier access to a valuable British status marker, venison. Yet, while such access would have distinguished backcountry settlers from their British counterparts, the ways in which settlers gained their hunting knowledge is significant, as are the arguments about where this knowledge originated.[13]

Where backcountry settlers developed the necessary skills to hunt during the eighteenth century is a historical issue which requires greater discussion. Bereft of a cultural heritage of hunting among the lower classes in many European countries, where the necessary hunting skills came from is a valid question. In the Pennsylvania backcountry, only small numbers of Scandinavian immigrants brought any hunting knowledge with them to the frontier. While this small group would have started with an advantage over other European settlers, how applicable their hunting knowledge was to their new surroundings in debatable.[14] One other possible source may have come from English settlers convicted of poaching. For example, a 1723 trial of more than twenty individuals resulted in six men sentenced to transportation of seven years each. Five of the men were transported for killing deer in royal forests, and one for stealing tame deer.[15] However, despite the potential for convicted poachers to be transported to the colonies, any definitive influence would be less likely than a significant Scandinavian origin for frontier hunting practices. The only other logical area where backcountry settlers would have gained the necessary skills is therefore through interaction with local Indian populations and a process of trial and error in response to local conditions. It would be through observing the ways in which Indian males conducted their hunting that the key skills could be adapted successfully, as well as certain understandings of masculine identity. It would be through contact with Indian populations, whether through captivity or other interactions, that the core skills of how to dress, track, wait patiently and silently, etc. were taught and perfected.[16]

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[13] The value of venison as a mark of status in English society during the eighteenth century, and its rarity among the lower classes is detailed in: Thompson, *Whigs and Hunters*: 191.

[14] Terry J. Jordan and Matti Kaups, *The American Backwoods Frontier: An Ethnic and Ecological Interpretation* (Baltimore: The Johns Hopkins University Press, 1989). 211-32.

[15] Thompson, *Whigs and Hunters*: 73-75.

[16] Joseph Doddridge, *Notes on the Settlement and Indian Wars of the Western parts of Virginia and Pennsylvania, 1763-1783* (Wellsburg, VA:1824). 91-93. John F.D. Smyth, *A Tour in the United States of America: Containing An Account of the Present Situtation of that Country; Etc.*, 2 vols., vol. 1 (London: G. Robinson, 1784). 178-83. Despite being able to gain the necessary skills through observing local Indian populations, any skills would have had to be adapted for local conditions through a process of trial and error.

The influence of Indian hunting practices becomes especially evident when considering how hunters dressed throughout the eighteenth century, as well as the influences that such customs would have on an understanding of manhood among backcountry communities. Joseph Doddridge noted in his early history of the western parts of Virginia and Pennsylvania, that the dress of the men was 'partly Indian' and that the young men were especially 'proud of their Indian-like [sic] dress.'[17] Just as Virginian gentlemen had a uniform which displayed their status, so too did frontier hunters; for the hunter, this uniform was the hunting shirt. A popular garment due to practicality, the hunting shirt – made of either coarse linen or buckskin – blended European attire with Indian, especially when combined with the breech clout, leggings and moccasins. Doddridge noted observing young men attending 'public worship' in this dress, and that their appearance 'did not add much to the devotion of the young ladies.'[18] The blending of European and Indian attire in the hunting uniform can denote the Indian influence on backcountry hunting traditions however, the devotion of young ladies notwithstanding, the youthful popularity of such uniforms is a significant aspect when defining a frontier Big Man's charismatic legitimacy. An important criterion for Big Man status was the ability to exemplify an ideal for impressionable boys and aspiring youths. Young men dressing in hunting shirts and leggings can therefore be seen as a form of 'hero' worship; an attempt to emulate and aspire to the success of prominent hunters.[19] However, it is important to note that while settlers borrowed from Indians, it did not make them the same in all aspects when developing a hunting tradition. Key differences persisted in the hierarchies of hunting parties, as well as the conduct of the pursuit.[20]

Regarding the key aspects which would differentiate backcountry hunting traditions from their Indian templates, the spiritual aspects of hunting is one area which displays deviations. However, while there were clear spiritual connotations with Indian hunting practices, it was far from unique to this group. Arguably, hunting contains a

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[17] Doddridge, *Settlement and Indian Wars*: 91-93.

[18] Ibid., 93.

[19] James Nourse – Journey to Kentucky in 1775 (excerpt), in, Ellen Eslinger, ed. *Running Mad for Kentucky: Frontier Travel Accounts* (Lexington: The University Press of Kentucky, 2004), 91-92, 97. JDS interview with Mrs Sarah Graham, DM12CC45-53.

[20] The popularity of the hunting shirt and the practical uses of the hunting uniform have been detailed by Joseph Doddridge and John F.D. Smyth. The design of the shirt enabled it to fulfil a variety of functions, with the loose nature allowing for rations and other implements, to be stowed in the folds. The popularity of the garment, and therefore evidence of hunting's role towards masculine identity, stretched well into the late eighteenth century, with Sarah Graham recalling the garment as the uniform of militia companies in Kentucky. JDS interview with Sarah Graham, DM12CC45-53. Doddridge, *Settlement and Indian Wars*: 93. Smyth, *Tour in the United States*, 1: 179-80.

spiritual element in all cultures, though they are expressed in different ways.[21] It would be the differentiation of these spiritual approaches that demonstrated where the traditional norms of Virginian society did not suffice, and allowed backcountry hunters to become prominent figures in their communities. While there were many skills from hunting that could be extrapolated into other frontier arenas, such as warfare, a significant divergence in understanding involved the relationship between the hunter and the animal. The Indian hunting ethic called for the respectful treatment of animals, and contained a belief that an animal would only surrender itself to the hunter who fulfilled all of the defined rituals. The spiritual nature of Indian hunting practices was something observed by David McClure during his time among the Delaware. European settlers, on the other hand, diverged from this belief, seeing the hunt as an act of mastery as they sought to exercise their biblical domination over beasts. With this spiritual difference settlers owed little debt to the animals they hunted, or any obligation to avoid wasteful hunting. For European settlers, quickly altering Indian hunting practices to create their own traditions, the animal was conquered by the most skilful practitioner.[22] While the spiritual differences between Indian and settler hunting practices are significant in defining the creation of a hunting tradition for frontier Big Men, an equally significant differentiation can be seen in the gender roles regarding hunting.[23]

It was not an uncommon occurrence for women to accompany male hunting parties in Indian societies. While they never directly participated in the hunting, women fulfilled roles that were in keeping with Indian labour spheres. While the men hunted women would often tend to the camp, prepare meals, smoke meat, and dress the skins – an important role, especially after distinctions between meat hunting and skin hunting developed. The hunting camp, therefore, became an extension of the private/domestic sphere that Indian women held dominion over.[24] In some respects, the lack of women in backcountry hunting parties may be attributed to the accepted labour divisions within European societies by the eighteenth century. Such understandings placed men at the head

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[21] James Axtell, *The European and the Indian: Essays in the Ethnohistory of Colonial North America* (New York: Oxford University Press, 1981). 53-54. Colin G. Calloway, *New Worlds for All: Indians, Europeans, and the Remaking of Early America* (Baltimore: The Johns Hopkins University Press, 1998). 55-56.

[22] Franklin B. Dexter, ed. *Diary of David McClure, Doctor of Divinity, 1748-1820* (New York: The Knickerbocker Press, 1899), 89-90.

[23] To be more accurate, these differences can also be understood through the lack of gender roles practiced by backcountry hunters.

[24] Lyman Copeland Draper interview with Joseph Jackson, April, 1844, DM11C62[12] (hereafter LCD). Daniel Boone, Lyman Copeland Draper, and State Historical Society of Wisconsin, *Daniel Boone papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

of all subsistence systems, while women played a subservient role. However, the lack of women can also highlight the socio-economic divisions within Virginia in this era. Rather than utilise women in the domestic sphere of the hunting camp, backcountry hunters filled these roles with hired hands and, more importantly, slaves.[25] The existence of hired hands and slaves as camp tenders in frontier hunting parties, roles fulfilled by women in Indian societies, highlights the extent to which backcountry hunting traditions had diverged from the form learnt from Indians by the middle of the eighteenth century. Throughout the backcountry of Virginia and Pennsylvania by this period, hunting had developed from subsistence into a commercial exercise. The development of a hunting tradition in these regions also had an enormous impact on understandings of masculine identity, and how such understandings would enable hunters to increase their reputations within communities. The development of these understandings would greatly impact how leadership and authority were viewed in these newer frontier regions, and give rise to a legitimate form of charismatic leadership based on skill and ability, not traditional gentry norms.[26]

Hunting and Masculine Identity

Influenced by theories of social development, with a belief that societies matured from hunting cultures, towards semi-permanent pasturage, agriculture, and finally commerce, gentry commentators in Virginia denounced the activities of backcountry settlers. David McClure regarded the settlers in Virginia's backcountry as little more than 'white savages,' and many commentators feared that the inhabitants of these regions were backsliding towards the 'lowest and rudest state of society.'[27] By characterising gentry hunting as a sport commentators were able to make such claims, and like attitudes to debt, ignore any hypocrisy within their position. Yet, regardless of the commercial opportunities, or clashes with the gentry's ideology of human development, the men who demonstrated skill as hunters defined characterisations of manhood and masculine identity throughout the backcountry. They may not have been regarded as social equals by the gentlemen of the region, but for backcountry adolescents hunters defined what it was to be a man; they

[25] Lewis Barnett to LCD, July 15, 1857, DM5C97. Daniel Trabue's Narrative, DM57J41-43. George Rogers Clark, Lyman Copeland Draper, and State Historical Society of Wisconsin, *George Rogers Clark papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

[26] For the growing distinctions in Indian societies between hunting for meat and hunting for skins see: Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1991). 103-05.

[27] Dexter, *Diary of David McClure*, 93. McCoy, *The Elusive Republic*: 19.

were revered.[28] Part of Max Weber's definition of the charismatic leader applies supernatural or superhuman powers to set the charismatic individual apart from ordinary men. For Weber, in primitive circumstances, charismatic deference is often thought of 'as resting on magical powers.'[29] However, this understanding of charismatic authority can be redefined to describe the influence that hunters would have on young men on the frontier; especially when attempting to understand masculine identity. Charismatic authority is legitimised through an ability to inspire followers, and a continuing demonstration of the abilities which set leaders apart. Manhood can be interpreted as an artificially induced status, one that is achievable only through testing and careful instruction. Therefore, it is unsurprising that hunting success can provide a legitimate example of charismatic authority. This understanding is not without precedent, and far from unique to the North American backcountry. Aboriginal peoples of New Guinea certainly share these understandings of hunting as an expression of manhood, and see the Big Man as the embodiment of the manly ideal.[30] It is therefore little wonder that the hunting shirt became such a popular garment among backcountry adolescents. As aforementioned, by popularising the hunting shirt, these adolescents were performing a type of hero worship, thereby legitimising frontier hunters as charismatic authority figures in their communities.[31] Yet, emulation of the hunter's 'uniform' was not the only example for the way in which hunters were revered across the backcountry; public demonstrations of skill can also demonstrate the role of hunting as an legitimate expression of social authority.

Shooting at targets and rough-and-tumble fighting became popular challenges throughout the backcountry, and were significant demonstrations of manly ability in a public setting whilst also creating manly ability which was drastically different from gentry practices.[32] Shooting contests were not limited to men, as women certainly competed also, however the importance of such contests as an affirmation of manhood is distinctive in these gender expectations. During a shooting contest at St. Asaph's, Kentucky, in 1777, Esther Whitley's first shot topped all entrants. However, such demonstration of skill did not assign Esther charismatic authority; the best men were men, even when bested by

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[28] When interviewed by John Dabney Shane, Robert Gwynn spoke with reverence regarding the hunting exploits of David Kincaid. JDS interview with Robert Gwynn, DM11CC216-217. Doddridge, *Settlement and Indian Wars*: 93.

[29] Max Weber, *The Theory of Social and Economic Organisation*, trans. A.R. Henderson and Talcott Parsons (London: William Hodge and Company Ltd., 1947; repr., 1964). 359.

[30] Gilmore, *Manhood in the Making*: 100-01.

[31] Doddridge, *Settlement and Indian Wars*: 92-93.

[32] Timothy Flint, *Recollections of the Last Ten Years* (Boston: Cummings, Billiard, and Company, 1826). 98. Elliott J. Gorn, "'Gouge and Bite, Pull Hair and Scratch': The Social Significance of Fighting in the Southern Backcountry," *The American Historical Review* 90, no. 1 (1985).

women.[33] While target shooting provided men with the chance to demonstrate and improve their skills through a test of manhood, being able to utilise these skills when it mattered most exemplified the true tests of manhood, and set hunters apart from other men.[34] The renowned frontier hunter Michael Stoner was widely regarded as a fairly 'indifferent' shot when it came to shooting at a standing target, yet it did not affect his notoriety. This was due to his excellent record as a hunter, with his brother-in-law stating that Stoner 'seemed to understand the motions of living animals,' therefore he was able to succeed when it mattered most.[35] It would be the demands of commercial hunting that would come to exemplify the test of skills necessary to claim charismatic authority and would set hunters apart from other men. Competing in shooting contests may have offered a public arena in which to demonstrate their skills, yet it would be the products of successful hunts, and what hunters did with these products, which would weigh heavily when increasing status and defining charismatic authority on the frontier. As such, when it came to demonstrating leadership and authority within a hunting party, the Big Man hunter owed his position to what his companions thought of him and his abilities. For many, it would be the expression of such abilities that were needed in order to distinguish true Big Men on the frontier. Regular demonstrations of ability were needed for the continuing validity of a Big Man's charismatic authority.

Demonstrations of skill during a hunting trip could confirm a hunter's position as a legitimate candidate for authority – at least within the confines of the hunting party itself. By demonstrating ability as a hunter, and bravery in the wilderness, a Big Man confirmed his own manliness, whilst simultaneously disparaging the lack of it in others. In early January, 1780, Daniel Trabue set out from Harrodsburg as part of a small party intending to make salt at Bullitt's Lick. The party intended to supplement their provisions during the trip by hunting. As the group made camp on the first night, only Trabue had been successful, bringing a 'large fat Rackoon' back to the camp for 'negro Jo' to prepare. Trabue's success merely distinguished his abilities from those of his companions as according to recollections, they began a 'woeful tail,' disparaging their chances in the wilderness, 'liable at every moment to be Masscreed by the Indians.' Later that night Trabue displayed his bravery and skill further by going hunting with 'negro Jo' after the others refused to

[33] LCD interview with William Whitley, Jr., DM12C62[1].
[34] The importance of shooting matches to masculine identity can be seen in many recollections of frontier settlers. Benjamin Allen recalled men shooting at a target '40 yards away,' during a visit to Limestone in 1789. JDS interview with Benjamin Allen, DM11CC68. JDS interview with Jeptha Kemper, DM12CC127-133.
[35] JDS interview with Samuel Treble, DM12CC43.

accompany them. Travelling a short distance to where his companions had hunted unsuccessfully a few hours previously, Trabue quickly killed '5 of the largest fatest Turkeys' that he had ever seen, before returning to camp and demonstrating his mutuality. The next day, the party continued to Bullitt's Lick and, having displayed his ability and bravery, the twenty year-old Trabue 'went on before' as the acknowledged leader of the group, continuing his hunting success during the course of the day.[36]

Age was no barrier to Trabue's position as the acknowledged leader of his small party, rather it was his ability to provide for the group, as well as a fearlessness in hunting when his companions dared not. Yet, Trabue's actions also introduce a significant aspect of manhood and hunting. That being a good marksman and hunter were not enough to define oneself as a legitimate Big Man, rather an ability to determine the best time to hunt, and an awareness of the potential risks, were equally important in distinguishing Big Man status. When Indians were known to be about, stealth became an even more important aspect; restricting hunting opportunities was just as important as the hunting itself.[37] George Bedinger recalled a hunting party out of Boonesborough in 1779 when keeping the fast was demonstrated as a further test of manliness. Some of the more youthful members of the party were reproached for their 'boyish conduct,' after wastefully firing at a young buffalo. They were exhorted to 'exhibit more self denial and fortitude and act like men.' By maintaining the fast as long as possible, the goal was to determine who 'the boys are and who evinces the most fortitude.'[38] With such reproaches, a desire to prove one's skill and bravery could be just as damaging to building a reputation as a Big Man as acts of cowardice. Joe Smith may have never been allowed to forget that he 'fouled his pantaloons' after an encounter with Indians, but ineptitude in hunting could prove equally damaging in the eyes of neighbours, and open men to ridicule.[39] During the same expedition in which Trabue demonstrated his hunting prowess, a young Irishman became the object of such ridicule, when attempting to distinguish his own abilities. Trabue had felled a bull buffalo, but the shot was not fatal. While Trabue instructed his companions to reload and fire again, the young Irishman decided to finish the animal by hand. 'I told him it would not do, he could not hurt him, the wool and mud and skin and skull was all so thick it

[36] Daniel Trabue's Narrative, DM57J43.
[37] Spencer Records' Narrative, DM23CC38-39.
[38] Henry Bedinger – Biography of George Bedinger (copy), DM1A17-18. George Michael Bedinger, Lyman Copeland Draper, and State Historical Society of Wisconsin, *George M. Bedinger papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]). Nathaniel Hart, Jr., to M.T. Williams, December 20, 1838, DM2CC26.
[39] John Brady Statement, DM16S248. Draper and State Historical Society of Wisconsin, *Draper's notes*.

would not do. But he gets up his licks, a nocking away,' recalled Trabue in his fractured spelling.[40] The Irishman's actions succeeded in merely angering the bull, and his companions delighted in mimicking his panicked cries of 'O lard, O lard,' as the young man fled for safety. A desire to impress peers and demonstrate fearlessness had resulted in the young man becoming a laughing stock.[41]

The young Irishman was not alone in underestimating the animals that were targeted by hunters, or the overconfidence shown in a desire to prove one's manhood. William Clinkenbeard recalled that Bill Rayburn received a six inch gore from a buffalo while hunting and, while evading the creature, Rayburn escaped into a honey locust, where he 'got a great many thorns,' adding insult to injury. Clinkenbeard's brother, Isaac, had a similar experience to Trabue's Irishman, when he ended up hiding behind a tree after – in an attempt to preserve ammunition – he tried to kill a buffalo with only his knife.[42] An adult buffalo could be a challenge to bring down, and if the hunter was not knowledgeable on where to hit the animal it could require many attempts to kill one. Peter Harper recalled seeing his bullet bounce off a fully-grown buffalo after hitting it in the forehead.[43] As such, it is perhaps understandable why some hunters may have gone to great lengths to show their bravery and skill by killing an adult buffalo without a gun. However, hunting required a variety of skills in order to be successful. While a lack of knowledge in the habits of game could hinder a young hunter's attempts to establish his masculine identity, skilful practitioners were able to distinguish themselves from other settlers and rivals.[44] Dick Piles demonstrated his bravery and fearlessness by trapping wolves for entertainment. In one account, Piles 'came in once with one [a wolf] on his back, holding it by its fore feet around his neck…its mouth only tied, and its head sticking out from behind his shoulders beside his own.' On another occasion Piles was said to have skinned one wolf alive before letting it go.[45] However, despite such demonstrations, killing buffalo became a particular expression of manhood, and hunting prowess. For hunters, understanding the movements of all animals and the best ways to hunt them, were essential skills to refine.

Spencer Records reminisced about his expertise as a buffalo hunter in Kentucky, and provided a detailed account of the process of skinning a buffalo and preparing the meat for transport. In his narrative, Records considered himself a skilled buffalo hunter, but

[40] Daniel Trabue's Narrative, DM57J43.
[41] Daniel Trabue's Narrative, DM57J43.
[42] JDS interview with William Clinkenbeard, DM11CC57.
[43] JDS interview with William Clinkenbeard, DM11CC57.
[44] JDS interview with John Sappington, DM12CC188-190. Hugh F. Bell Statement, DM30S259-264.
[45] JDS interview with William Clinkenbeard, DM11CC58-59.

conceded that his father was the better hunter, and killed more deer than any man he knew of. While Records detailed how to skin an elk, and use the hide as a crude shelter from the elements, his descriptive detail belies the varied skills that a hunter, especially a commercial hunter, needed, regardless of the game they specialised in.[46] Animals had different seasons in which the hunting was most plentiful, though it could also be a year-round process depending on the resources of the hunter. A customary saying in backcountry regions was that 'fur is good during every month in the name of which the letter R occurs.'[47] Being a good shot with a rifle would have been a beneficial skill for bringing down larger game, such as deer, elk, buffalo, and occasionally bear, and threats such as wolves and cougars, but it was not the only necessary skill. Smaller animals, such as beaver, mink, and otter, were valuable commodities due to their fur, and a knowledge of how and where to trap these animals would have been an equally valuable demonstration of a hunter's ability, and would have added to his legitimacy.[48] Added to these skills, when it came to legitimising one's status as a skilful hunter, attributes often went beyond understanding the nature of the various animal targets. In spending months in the woods hunting commercially, hunters needed to have the rudimentary skills that would enable them to repair traps and gun parts, shoe horses, and remould bullets.[49] The level and variety of skills needed to succeed as a hunter should come as no surprise. However, as settlement pushed into Kentucky, these demonstrations of skill and knowledge of game would ensure hunters performed an invaluable social role in the survival of the settlers.[50]

Rather than social standing being defined through demonstrations of wealth, frontier hunters owed their local reverence to demonstrations of mutuality. A skilled hunter could achieve respect among peers due to the ability to provide meat for settlers and support in general. In fact, mutuality was one of the key traditions developed from Indian hunting among backcountry communities. Shawnee custom dictated that the animals killed by the young hunters would be brought to the chief, who would then distribute the meat amongst the community. 'There was no one lived better than another,

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[46] Spencer Records' Narrative, DM23CC5, 30-39. In general, throughout Records' narrative he admits that of the two, his father was the superior hunter.
[47] Doddridge, *Settlement and Indian Wars*: 98.
[48] Ted Franklin Belue, *The Long Hunt: Death of the Buffalo East of the Mississippi* (Mechanicsburg, PA: Stackpole Books, 1996). 86-87.
[49] JDS interview with William Clinkenbeard, DM11CC57. JDS interview with Ben Guthrie, DM11CC253-257.
[50] Robert D. Mitchell, *Commercialism and Frontier: Perspectives on the Early Shenandoah Valley* (Charlottesville: University Press of Virginia, 1977). 135.

but all fared alike.'[51] Such reciprocity shared the success of a hunter – excluding hunting for skins – equally among the community, for generosity and ensuring the subsistence of those unable to hunt were important criteria in this understanding of manhood. Backcountry hunters may have diverged from this custom somewhat, as an animal was usually granted to the hunter who drew first blood, yet adept hunters were quick to offer assistance to those in need. James Estill, prior to his death in 1782, hunted along the Wilderness Road, notifying travellers of where they could find fresh meat, while Benjamin Logan would distribute the loaves of pumpkin bread his wife baked to newly arrived settlers in Kentucky.[52] The importance of mutuality as a criterion for charismatic authority can be seen also in the actions of Daniel Trabue, who recalled that 'Some Men that was not hunters went with me to green river and helped me with the horses. I killed several buffeloes on the rout and loaded all their horses. They offered to pay me but I Did not charge them any thing.'[53] Trabue's authority as a hunter was better served through assisting the non-hunters than by entering into a commercial transaction. Such demonstrations of mutuality could provide a skilled hunter a great deal of respect among his peers, as meat rose in importance for settler subsistence.

It would be during the first decades of Kentucky settlement where the importance of mutuality can, arguably, be seen to greatest effect in providing the collective approval necessary for charismatic legitimacy. As previously discussed, hunting traditions among Anglo-European settlers developed out of subsistence needs as settlement pushed into the backcountries of Pennsylvania and Virginia. When John Dabney Shane conducted his interviews with frontier settlers during the 1830s and 1840s, the importance of hunting, and a diet of wild meat, stands out in the recollections through the frequency with which they were mentioned. However, a reliance on game in backcountry diets was far from a new occurrence on the Kentucky frontier. William Priest had previously observed the diet of the backcountry as dependent on hunting for meat to supplement 'Johnny-cakes' and 'hominy' made from Indian corn, which was also used to feed livestock.[54] However, in Kentucky, even 'luxuries' such as Johnny-cakes were scarce in the early years of settlement. James Morris recalled after arriving in Kentucky during 1788, he and his family had to

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[51] Ebenezer Denny, *Military Journal of Major Ebenezer Denny, and Officer in the Revolutionary and Indian Wars, with an Introductory Memoir* (Philadelphia: J.B. Lippincott & Co., 1859). 68.
[52] JDS interview with Sarah Graham, DM12CC45. Thomas Speed, *The Wilderness Road: A Description of the Routes of Travel by Which the Pioneers and Early Settlers first came to Kentucky* (Louisville: John P. Morton & Company, 1886). 45.
[53] Daniel Trabue's Narrative, DM57J46.
[54] William Priest, *Travels in the United States of America; Commencing in the Year 1793, and ending in 1797. With The Author's Journals of his Two Voyages Across the Atlantic* (London1802). 35-38.

spend their first year subsisting on 'wild meat.'[55] Benjamin Allen, likewise, expressed the predominance of game in the settler diet when remembering that 'Buffalo [sic] was mighty coarse meat; good deal like corn bread. Had it for bread. Then bear meat was fat, and we had it for meat.'[56] As well as buffalo and bear meat, deer would also play a prominent role in a Kentucky diet before crops could be raised in sufficient numbers, while the skins of these animals provided clothing, or could be traded. Despite this, John Floyd bemoaned the scarcity of bread and flour in Kentucky by the 1780s, while Daniel Drake recalled that his mother became so tired of the daily diet of meat that she broke into tears when a neighbour failed to offer her some buttermilk.[57] When combined with the Indian threats, which isolated settlers within forts and stations and prevented crops from being planted, hunters could gain the collective approval of settlers by ensuring their subsistence, and assisting those unable, or too afraid, to hunt for themselves. With such an importance placed on buffalo, the herds quickly became decimated in Kentucky, and killing buffalo became an expression of manhood. Among hunters however, understanding the movements of all game, and the best ways to hunt them, were essential skills to refine.

Aside from the frequent references to hunting and the need for meat during Kentucky's early years, a significant number of these interviews also recalled personal hunting trips for family subsistence. However, not every settler possessed the necessary abilities to hunt successfully, such as Trabue's young Irish companion. By hunting on behalf of other settlers, and demonstrating mutuality, men were able to demonstrate their abilities and secure collective approval. When John Taylor arrived on the Kentucky frontier, he quickly found himself ill-equipped to supply his own meat, and would have starved were it not for the 'common generosity of hunters.'[58] Settlers at Lee's Station during the 1780s

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[55] JDS interview with James Morris, DM13CC205.

[56] JDS interview with Benjamin Allen, DM11CC69.

[57] John Floyd to William Preston, February 20, 1780, DM33S317-318. Charles D. Drake, ed. *Pioneer Life in Kentucky. A Series of Reminiscential Letters from Daniel Drake M.D., of Cincinnati, to His Children* (Cincinnati: Robert Clarke & Co, 1870), 10-11. Not all settlers tired of the game-dominated diet, however, and there are a great many accounts of hunters and settlers who gorged themselves on buffalo and other game whenever possible, with bone marrow appearing as a particular delicacy. John Hanks recalled Angus Ross consuming six marrow bones and a half-dozen goose eggs during one meal, and spending the rest of the night 'feeding the fishes.' Joshua McQueen remembered one man who collapsed after gorging on buffalo bone marrow, while James Knox reputably consumed thirty-six for a Christmas dinner. William Clinkenbeard, likewise, recalled one hunting trip which included a breakfast feast of over sixty roasted marrow bones. JDS interview with John Hanks, DM12CC144. JDS interview with Joshua McQueen, DM13CC122-123. JDS interview with William Clinkenbeard, DM11CC57. JDS interview John Hedge, DM11CC19-23. A Sketch of the Life of W. Sudduth (copy), DM12CC79-96.

[58] John Taylor, *A History of Ten Baptist Churches, Of Which the Author has been Alternately A Member: In Which will be Seen Something of A Journal Of the Author's Life, for more than Fifty Years.* (Frankfort, Ky.:1823). 43.

demonstrated a similar predicament to Taylor by employing William Tyler to hunt for the station during this period. For his service and mutuality, Tyler received a parcel of land from the inhabitants of the station.[59] Beyond expressing mutuality by sharing meat, and displaying skills which differentiated them from ordinary settlers, the act of hunting helped to define the frontier Big Man as a suitable authority figure when defending the settlements. With the threat of Indian attack and ambush high, many would be afraid to travel far from the settlements. Men willing to risk the dangers of the hunt would have raised their standing through dramatic action, increasing any reputation for bravery among their communities. William Clinkenbeard regarded John Strode a coward for retreating to the more settled areas of Kentucky due to fear of Indian attack, yet spoke with reverence regarding the fearlessness of Dick Piles and his hunting exploits.[60] The activities of hunters, and the reliance on game for meat, would also have increased reputations for bravery. Through the depletion of game, hunters had to travel further from the safety of the settlements, in order to maintain their success. Those willing, and able, to hunt under these conditions would have raised their standing as charismatic Big Men, demonstrated by the reverence with which Simon Kenton, Daniel Boone, Michael Stoner, and David Kincaid, were recalled by settlers.[61] The act of hunting provided a clear way to differentiate one man from another in a region lacking clear social institutions. What a hunter did with some of the fruits of his labour would weigh heavily in securing the collective approval of the local community, despite an argument that men addicted to the hunting life were not desired sons-in-law.

It says a great deal about the regard in which hunters were held on the frontier, especially when defining charismatic authority and masculine identity, that although not rating as the most appropriate spouse or son-in-law, demonstrations of their abilities ensured these hunters the adulation of neighbouring men. James Finley, having decided upon the hunter's life, resolved to find a 'wife suited to this mode of living.' Having selected Hannah Strane, Finley found that his prospective father-in-law disapproved of the match, and, after the pair eloped, he refused to let his daughter return for her clothes. Finley's father-in-law though, may have objected to the match due to Finley's desire to emulate the

[59] JDS interview with William Tyler, DM11CC128.
[60] JDS interview with William Clinkenbeard, DM11CC58-59.
[61] JDS interview with Col. James Lane, DM12CC55-57. JDS interview with Samuel Gibson, DM12CC121-125. JDS interview with Robert Gwynn, DM11CC216-217. JDS interview with Richard French, DM12CC201-210.

hunter's lifestyle, rather than any specific character traits.[62] James Wade recalled during the 1840s that he would have never succeeded at farming until he sold his gun; the lure of hunting being too strong.[63] Henry Skaggs, however, may have been described as 'ignorant… of the modes of civilised life,' and rumours surrounded the legitimacy of at least one of his children, yet he was nevertheless held in high esteem as a man with 'a high sense of honour.'[64] Such a view of a man such as Skaggs is understandable, if the interpretation of backcountry masculinity is seen as an induced status: a test. A figure such as Skaggs was accorded deference based on his special set of skills; on charismatic grounds, rather than traditional gentry criteria. In gaining the respect and deference of peers on the frontier 'a good hunter was the greatest honour to which any man could attain.'[65] Only by continually demonstrating these wider abilities, alongside their abilities as hunters and woodsmen, could a frontier hunter be legitimately differentiated from other settlers. A true hunter, or frontiersman, could navigate and survive in the wilderness when other settlers could not, or were afraid to.

Many of the fears experienced by Kentucky settlers occurred due to their lack of familiarity with the landscape, especially when it came to travel. Animal trails provided a rudimentary road system in the region, and settlers needed considerable skill to navigate these routes without incident. Those with the most skill in navigating these trails would undoubtedly be frontier hunters.[66] Travel, therefore, offered a chance for these figures to define their standing as local Big Men, and people worthy of renown; yet, not all hunters were equal to the task. Spencer Records, an experienced hunter himself, managed to become lost whilst attempting to navigate the buffalo traces between Limestone, on the Ohio River, and Lexington. Despite following the course of the Licking River, Records still had to be assisted by two hunters in finding his destination in the Bluegrass.[67] Benjamin Hardesty experienced similar problems to Records, but without the skills of a hunter to assist him, or his family. After becoming confused over the myriad of buffalo traces, Hardesty resorted to wandering the wilderness for two weeks before arriving at Bryan's

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[62] James B. Finley, *Autobiography of Rev. James B. Finley or, Pioneer Life in the West* (Cincinnati: Jennings and Graham, 1859). 149-50.
[63] JDS interview with James Wade, DM12CC39.
[64] John Barbee – Incidents in the Life of Henry Skaggs and Brothers, DM5C76.
[65] Levi Purviance, *The Biography of Elder David Purviance, with his Memoirs: Containing His Views on Baptism, the Divinity of Christ, and the Atonement. Written by Himself* (Dayton: B.F. & G.W. Ells, 1848). 204.
[66] Elizabeth A. Perkins, *Border Life: Experience and Memory in the Revolutionary Ohio Valley* (Chapel Hill: The University of North Carolina Press, 1998). 74-75.
[67] Spencer Records' Narrative, DM23CC19-23.

Station.[68] With so many ill-defined trails acting as an internal road network, prominent hunters were in a prime position to offer assistance to settlers when it came to navigation. By taking advantage of settler inexperience, frontiersmen could raise their social prominence due to the issues created by poor roads and travel networks. However, many of the benefits that frontiersmen were able to derive in providing assistance to settlers were in large part caused by the frontiersmen themselves and their hunting backgrounds.

By following animal trails into Kentucky, prominent hunters were better able to navigate without major issue, especially during the winter, when snows could cover the paths and trails between the settlements.[69] This was compounded by the fact that, aside from utilising animal trails to navigate, hunters also made use of established Indian routes, increasing the potential dangers to unskilled settlers. Settlers would, therefore, have to rely on the instruction of hunters in telling the difference between an animal trail and an Indian path. Simon Kenton attempted to explain the difference during a deposition recorded in 1824. Kenton asserted that Indian paths through the forests were distinguishable by markings on trees, used to denote directions and where the road led. Animal paths on the other hand, and especially buffalo traces found along ridges and creeks, were wider and more beaten.[70] Early roads to and within Kentucky may have followed animal trails in many sections, because they often followed the path of least resistance. However, the meandering routes were unsuitable for wagons or heavy loads, causing a great many settlers to have difficulty with the major routes into the region. James Wade and Benjamin Allen also stated that the rudimentary road system required a great deal of skill and knowledge of the landscape to navigate successfully, and be able to differentiate between animal and Indian trails.[71] By basing the early transport system on the experience of the first hunters to the region, Kentucky settlers had helped to create a situation where Big Men had an opportunity to continually show their abilities, especially once hunting ceased to be a central mode of subsistence. The demonstrations of ability which were so central to legitimising Big Man authority on the frontier, however, and the central importance of hunting to masculine identity, introduced a further criterion regarding how such authority was exercised in practice. The ways in which such charismatic authority was exercised within hunting parties, and what made the authority legitimate, would influence the wider

[68] JDS interview with Benjamin Hardesty, DM11CC169.
[69] Daniel Trabue's Narrative, DM57J42.
[70] Simon Kenton Deposition, 1824, in, Perkins, *Border Life*: 76.
[71] JDS interview with James Wade, DM12CC29. JDS interview with Benjamin Allen, DM11CC72.

social understanding of authority, and what was contained within authority, as settlement expanded into Kentucky.

Commercial Long Hunters and Charismatic Authority

Lyman Copeland Draper helped to create an image for the commercial hunter who breached the Appalachian barrier in search of economic gain, and newer hunting grounds. In crossing the mountain barrier into Kentucky and Tennessee, these men became Draper's 'Long Hunters.' In coining the term, Draper supplied a misleading image, corresponding to the heroic image of hunters envisioned by earlier generations of adolescents. In reality, the men who pushed beyond the Blue Ridge were trespassers who broke treaties by entering Indian lands.[72] While evoking heroic images, Draper's moniker does not explain the origins of the name, or whether it is an appropriate one to use. An adequate definition for the term can be taken to mean either the distance that a hunting party travelled in order to reach their desired hunting grounds or, the total time spent on a single hunting trip. The distance travelled by hunting parties depended greatly on where they originated, with Kentucky becoming a favourable destination due to the depletion of game in western Virginia and Pennsylvania by the 1760s. Draper's correspondence with descendants of trans-Appalachian hunters presents a variety of options suggested for the length of such hunting trips. An estimate based on this correspondence would suggest that a standard hunting trip to Kentucky could last from seven months to a year, although there does not seem to be a definitive length. Not only would the length of a trip depend on the region of origin of a hunting party, but consideration also needs to be provided for the distance to intended markets and however long the hunters' ammunition lasted. Alongside the number of variables surrounding the length of a hunting trip, uncertainty is also present when attempting to define the best time of year to begin hunting.[73]

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[72] While the moniker 'Long Hunter' has now been applied to any commercial trans-Appalachian hunter, Draper coined the term to describe the members of a specific hunting party active in Kentucky between 1769 and 1771. Draper researched the men involved in this party with the intention to include their experiences in his biography of Daniel Boone. A sketch of the men and their experiences as long hunters, are included in chapter eight of Draper's unpublished manuscript. Lyman Copeland Draper and State Historical Society of Wisconsin, *Draper's Life of Boone*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisonsin; Cambridge: Chadwyck-Healey [distributor]). DM3B54-84.

[73] Draper compiled his notes on the long hunters from the information contained within each letter, and attempted to get clarification from all he corresponded with. Examples of the varying lengths he received for a trans-Appalachian hunting trip can be found in: Boone, Draper, and State Historical Society of Wisconsin, *Daniel Boone papers*: DM5C41-46. When seeking to define the length of a hunting trip based on the amount of ammunition available, caution should be exercised. William Clinkenbeard and Ben Guthrie both provided John Dabney Shane with accounts of recovering spent

The existence of specific hunting seasons, enacted by the Virginia legislature, suggests that hunting was a pursuit that was only an option at specific times. Joseph Doddridge believed that hunting was most optimal once the duties of the harvest had been completed; hence a deer season from August to November in Virginia. In the agrarian cycle, William Priest also suggested that hunting was something to partake in once 'the harvest was in.'[74] However, these specific deer seasons contained exemptions for frontier subsistence, while there is an argument to suggest that commercial hunting was a year-round process, with each animal having a specific season. Doddridge wrote of the 'fall and early part of the winter…for hunting deer, and the whole of the winter…for bears and fur skinned animals.'[75] However, contradicting this ideal deer season there is an argument to suggest that the summer and early fall were better for hunting deer, as the thicker winter skins tended to crack along vein lines.[76] As mentioned previously, with each animal having a specific season, when a hunting trip would begin would greatly depend on the intended animal targets and whether the hunting was for commercial or subsistence purposes. For example, while Major Black recalled hunting wolves during any leisure time, commercial hunting required greater organisation.[77] Regardless of the time of year the hunting trips departed, or their points of origin, the experience and ability to deal with the different challenges presented by the landscape and game would be essential when determining how such hunting parties were organised. To secure the leadership of a hunting party, aside from the knowledge to hunt successfully in all conditions, the ability to coordinate a large number of men would have been essential. It would be the methods of organising the hunting parties which would define a charismatic understanding of authority and how it challenged traditional norms.

Draper's long hunters offer an insight into the organisational structure of a trans-Appalachian hunting party, and the way in which leadership and authority was exercised. Organisational decisions, such as where to locate the central camp – or station camp – would have been much easier to make for men who had travelled in the region previously, allowing them to select the best routes into Kentucky. The charismatic Big Man would then have to display an ability to organise the large hunting party into smaller groups for more

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bullets from the carcasses of deer and buffalo, as well as trees, so that they could be reshaped and used again. JDS interview with William Clinkenbeard, DM11CC57. JDS interview with Ben Guthrie, DM11CC253-257.

[74] Doddridge, *Settlement and Indian Wars*: 98. Priest, *Travels in the United States of America*: 37. Hening, *Statutes at Large*, 5: 60-62.

[75] Doddridge, *Settlement and Indian Wars*: 98.

[76] LCD interview with Daniel Boone Bryan, DM31C50.

[77] JDS interview with Major Black, DM12CC151-152.

efficient hunting, and provide instruction on the best locations for trapping. Not only did such decisions provide for a greater possibility of success, as large groups were more likely to scare the more skittish game, smaller groups were also less likely to attract the attention of Indian parties.[78] Hunting leaders, therefore, were also demonstrating their abilities in providing for the defence of the group, as well as their commercial success. By placing the leadership in the hands of the most skilled and experienced candidates, a hunting party was hopefully increasing the chances of their financial success. However, the way in which these leaders exercised this authority, and what was contained within such authority, differentiated Big Men from a traditional gentry definition. Such men relied to a greater extent on the collective approval of those they led, and therefore, decisions made by leaders had a greater emphasis on consensus, or at least an illusion of consensus. The 'long hunters' offer one of the best examples of how collective approval was won and exercised in such hunting groups, and the wider effect that this would then have on Kentucky settlement. Despite the surviving records for this particular party, there are questions over the exact number of the men involved. There would appear to have been between thirty and forty men employed as hunters, yet slaves and hired camp-tenders were not accounted for in the recollections.[79] As they do not appear in the recollections, it may be unlikely that they would have had any voice in decision-making; legitimate collective approval could only be provided by the hunters.

The role of collective approval in legitimising a Big Man's leadership in a hunting party, and the ways in which this form of charisma differed from traditional gentry norms, can be seen in the structure of this long hunting party. Nineteenth century writers, such as Humphrey Marshall and Mann Butler, credited the leadership of this group to James Knox.[80] This leadership structure, however, was assigned due to Knox's later success as a landowner in Kentucky, and Knox's own retelling of the events.[81] Knox *was* a member of

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[78] Nathaniel Hart, Jr., to M.T. Williams, December 20, 1838, DM2CC26. JDS interview with Patrick Scott, DM11CC5-9. JDS interview with William Clinkenbeard, DM11CC54-66. John Mack Faragher, *Daniel Boone: The Life and Legend of an American Pioneer* (New York: Henry Holt and Company, 1992). 79-87.

[79] Draper's 'long hunter' correspondence and notes, DM5C61-100.

[80] The endurance of Knox as the leader of the long hunters may have been due to where the early authors gained their knowledge of the events. Knox was a personal acquaintance of Marshall, as well as others who stressed his Big Man standing. Humphrey Marshall, *The History Of Kentucky Vol. 1: Exhibiting An Account Of The Modern Discovery, Settlement, Progressive Improvement, Civil And Military Transactions, And The Present State Of The Country* (Frankfort: S. Robinson, 1824). 9. Mann Butler, *A History of the Commonwealth of Kentucky* (Louisville, KY: Wilcox, Dickerman and Co., 1834). 19-20. Brent Altsheler, "The Long Hunters and James Knox their Leader," *The Filson Club History Quarterly* 5, no. 4 (1931).

[81] Robert Wickliffe to LCD, January 28, 1849, DM5C54. LCD to Wickliffe, October 25, 1850, DM5C55.

the party, and a renowned hunter, but he likely captained one of the smaller groups. Evidence suggests that the overall authority was jointly held by Henry Skaggs and Joseph Drake, 'being two of the oldest of this party and first rate woodsmen.'[82] Skaggs and Drake were selected to lead through a consensus decision of the group, and were expected to lead by example. The pair were not the oldest members of the party, though they were older than many of their companions, rather they were installed as their companions felt Skaggs and Drake symbolised the most skilful woodsmen and hunters. However, just because the consensus decision of the party placed authority in the hands of Skaggs and Drake, it did not mean that the party relinquished a right to consultation in the decision-making process. In light of this understanding, and the events that followed on the expedition, it is possible to argue that the orders from charismatic leaders were often seen as suggestions; suggestions no one appears to have been under any obligation to follow.[83]

As Max Weber has argued, a charismatic leader's authority is only legitimate while he can inspire amongst followers a belief in his abilities, and according to this interpretation Skaggs certainly appears to have justified his leadership selection.[84] During this trip Skaggs was reputed to have killed 1,500 deer, clearly displaying his abilities as a hunter. However, despite this display, Skaggs constantly needed to legitimise his charismatic credentials in order to secure collective approval. After a period hunting, twenty-four men left the party and returned to Virginia. There are many interpretations for this split, but it occurred at the same time as a dispute between Skaggs and Charles Ewing, with Ewing challenging Skaggs' authority. The origins of this dispute have never been clear, however, the version recounted from Draper's correspondence suggests that Ewing was jealous of Skaggs' success and abilities – something not uncommon in the backcountry masculine hunting culture. This interpretation would suggest that Ewing's challenge to Skaggs weakened the legitimacy of the party's hierarchy with Drake, and as a result, twenty-four men felt no obligation to continue under their authority. However, an alternative argument for the split in the hunting party may be more accurate, while still highlighting the relatively temporary nature of charismatic legitimacy. The twenty-four men returning east may have done so not because they transferred their following to Ewing, rather they had fulfilled their desires from the hunting party or their ammunition and supplies had run out. Under this interpretation, the leadership of Skaggs and Drake had

[82] John B. Dysart to LCD, March 27, 1849, DM5C61.
[83] The consensual expectations of hunting leadership can be seen in a letter between Draper and Thomas Mitchell in which Mitchell asserted that the hunting party had no recognised leader. Thomas Mitchell to LCD, November 1850, DM5C67.
[84] Weber, *Social and Economic Organisation*: 359-60.

fulfilled the expectations of the twenty-four men, and they no longer held any further obligation to their authority. Regardless of the reasons for these twenty-four men leaving the hunting party, those remaining still recognised the authority of Skaggs and Drake, and were unanimous in their decision to remain in Kentucky hunting, even after their station camp had been ransacked by Indians. The experiences of Skaggs and Drake as leaders of a hunting party show another aspect to defining Big Man status on the frontier. Displays of skill and bravery may have been enough to create a Big Man reputation, and legitimise charismatic authority, but the exercise of such authority was fully dependent on the collective approval of those inspired to follow them.[85]

Legitimacy and Wider Social Influence

Hunting may have grown in importance for backcountry residents during the eighteenth century, and beyond subsistence means, commercial hunting contained the potential for substantial profits. A packhorse could carry around 250lbs of deerskin, and could net a successful hunter a sizeable profit for his endeavours. In 1762, one Staunton merchant valued his stock of 370lbs of deer skins and two elk hides at £27 14s 2d, while a packhorse loaded with beaver and otter pelts could be worth five times its deerskin equivalent. That there was a market for the produce of hunting is certain, with one prominent Virginian settler, Arthur Campbell, involved in the purchase of skins worth £6 15s; profits however were never certain. Many of the most renowned trans-Appalachian hunters would return home with little to show for their efforts – having had their haul 'confiscated' by Indians – or found that their share barely covered expenses.[86] By the time that settlement truly took hold in Kentucky however, certainly by the beginning of the 1780s, hunting was becoming less essential to the subsistence system of backcountry settlers. The decimation of the game though overhunting, and a move away from a reliance on wild meat is certainly unsurprising when discussing the legitimacy of the frontier hunter as a charismatic authority candidate. While charismatic authority can be legitimately claimed where traditional norms are weak, such claims are inherently temporary. As the social hierarchy of a community developed, the conditions which fostered the charismatic candidate reduced in importance, impacting the legitimacy of a charismatic claim. While this argument may hold a great deal of truth to it, such interpretation does a disservice to the role of hunting

[85] John Barbee to LCD, April 15, 1849, DM5C77. Draper and State Historical Society of Wisconsin, *Draper's Life of Boone*: DM3B54-84. Dysart to LCD, DM5C61.

[86] Thomas Foster to William Heaton – invoice, December 26, 1769, Arthur Campbell Papers: Folder 11, Filson Historical Society Special Collections, Louisville, Kentucky (hereafter FHS). Mitchell, *Commercialism and Frontier*: 134.

in influencing the evolution of social leadership in Kentucky, especially in regards to an understanding of collective approval.[87]

The development of hunting practices throughout the backcountry regions of Virginia and Pennsylvania through the eighteenth century helped to define a masculine identity which differed greatly from traditional gentry concepts. By placing the importance on skill and mutuality, hunting offered a way for frontier Big Men to gain the collective approval of their local communities and define the criteria necessary for Big Man status. Hunting offered a chance for men to define their identity out-with traditional social norms, affirming manhood and providing a respite from dependence; at least in the case of youthful bachelors. Through publically demonstrating their physical abilities hunting can be regarded as the 'true' test of manhood on the eighteenth-century frontier, and was essential to the development of early Kentucky.[88] However, a combination of overhunting, the establishment of crops and livestock, and changing dietary tastes, decreased the need for subsistence hunting. Regardless of these changes, hunting took on greater social importance as a way to define masculinity, and demonstrate the necessary skills for defending the settlements. Hunting not only increased knowledge of the surrounding landscape, but also fostered a familiarity with firearms and many of the demands necessary for militia service.[89] By the 1790s, continued legislation for the killing of wolves allowed young men to distinguish themselves by demonstrating hunting proficiency, despite the fact that it no longer maintained the same importance for mutuality or subsistence.[90] By distinguishing themselves through hunting, Big Men could gain the charismatic collective approval necessary to legitimise their embodiment of a masculine ideal among their communities, as hunting continued to retain a cultural importance. The collective approval that these candidates received, therefore, can be equated to a form of hero worship,

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[87] Matheson, "Weber," 213. For Weber, the charismatic leader can only legitimise his claims to charisma while he is operating outside of the traditional structures. Another interpretation which Weber offers for the temporary nature of charismatic legitimacy stresses that charisma is not hereditary. Therefore, the descendant of a charismatic Big Man cannot base his legitimacy on the same criteria. Weber, *Social and Economic Organisation*: 358-86.

[88] Gilmore, *Manhood in the Making*: 14, 17, 101-16.

[89] JDS interview with David Crouch, DM12CC225-229. JDS interview with Joshua McQueen, DM13CC121. JDS interview with Mrs John Arnold, DM11CC242. Craig Thompson Friend, *Along The Maysville Road: The Early Republic in the Trans-Appalachian West* (Knoxville: The University of Tennessee Press, 2005). 147-48.

[90] JDS interview with Isaac Howard, DM11CC253. William Littell, ed. *The Statute Laws of Kentucky; with Notes, Praelections, and Observations on the Public Acts*, 3 vols., vol. 1 (Frankfort, KY: William Hunter, 1809), 336-38.

especially among adolescents.[91] The growth of trans-Appalachian hunting, therefore, merely amplified the demonstrations of toughness and manhood that backcountry men revered; as well as providing the homogenous conditions with which to instruct, and initiate, young men with the necessary qualities for true manhood. Such an interpretation fits with the concept of manhood as an artificial status, and an understanding of charismatic authority being in a constant state of flux. Despite hunting providing a way for Big Men to distinguish themselves, and gain collective approval, the ideal they represented was insecure. Hunting may have provided a way for the Big Man to legitimise a claim to authority through the developing social institutions in Kentucky, as they had responded to local concerns, but a charismatic Big Man was only such if the community accepted this claim, and his abilities could continue to prove his manliness.

It would be the insecure nature of such charismatic authority which characterised the leadership of frontier Big Men, especially in the hunting arena. With collective approval gained through demonstrations of ability and experience, authority could be exercised so long as the collective agreed to follow the charismatic leader. Such scenarios can be seen with the experience of frontiersmen leading trans-Appalachian hunting parties; where members of the party would return home once their expectations of the authority figure had been fulfilled. Hunters had no binding loyalty to the leaders of hunting parties, leadership was, therefore, only legitimate so long as it was accepted by the collective. The collective approval which legitimised charismatic leadership can therefore be interpreted as not through an acceptance of traditional norms, but rather a consensus to be led with little binding obligation to follow. Such a scenario is reflected in the later role that frontier Big Men would have in the development of Kentucky, and that such figures began to fade from prominence, as frontier conditions developed into settled societies. However, the importance of frontiersmen such as Daniel Boone, Simon Kenton, Daniel Trabue, and Henry Skaggs to the definition of masculine identity are not always given full acknowledgment in academic discussions; at least in terms of their contemporary influence. This can lead to ignoring the influence of the frontier Big Man – and hunting – when defining the earliest definitions of American manhood during the early republic. Rather the frontier Big Man has come to represent an idyllic form of manhood, especially in nineteenth century literature; possibly reflecting the temporary nature of charismatic authority. Yet, the frontier Big Man, in defining masculine identity in the backcountry through hunting, would have a significant

[91] Stuart A. Marks, *Southern Hunting in Black and White: Nature, History, and Ritual in a Carolina Community* (Princeton: Princeton University Press, 1991). 3-14.

impact on how wider authority was legitimised, and the development of Kentucky, so long as the conditions allowed for such authority to be exercised.[92]

The growth of commercial hunting and trans-Appalachian hunting parties, gave the leaders of these parties essential experience with leading and organising groups of men. Hunting may have helped to define the qualities of a charismatic leader during the late eighteenth century in the frontier Big Man, but in utilising their authority Big Men would have an influence beyond the hunting party; and increasingly beyond their local communities. The role of consensus in the collective approval of charismatic authority would come to alter the expectations of leaders in other aspects of backcountry life, particularly regarding defensive concerns and militia organisation. Arguably, the influence of the charismatic Big Man, and this understanding of collective approval on the frontier, can be seen in the hierarchy of frontier militia companies throughout Virginia during the eighteenth century. As settlement became established in Kentucky, charismatic authority would be able to compete for legitimacy with traditional concepts, due to the immediate defensive concerns which struck the newly established communities. The militia provides an arena in which to view the influence of these charismatic Big Men and their clashes with traditional authority figures. The militia in Kentucky also offers a window into the establishment of traditional norms in the region during the late-eighteenth century, helping to define at which point frontier Big Men needed to evolve in order to maintain their legitimacy as authority figures which will be discussed in the next chapter.

[92] Michael S. Kimmel, *Manhood in America: A Cultural History*, 2 ed. (New York: Oxford University Press, 2006). 11-29. Arthur K. Moore, *The Frontier Mind: A Cultural Analysis of the Kentucky Frontiersman* (Lexington: University of Kentucky Press, 1957). Richard Slotkin, *Regeneration Through Violence: The Mythology of the American Frontier, 1600-1860* (Norman: University of Oklahoma Press, 2000).

Chapter Four

'Them That Ain't Cowards Follow Me': The Kentucky Militia and the Evolution of Social Authority

The discussion in chapter three demonstrated that the development of a hunting culture in the western regions of Virginia, North Carolina, and Pennsylvania during the middle of the eighteenth century had a significant impact on understandings of masculine identity during this period. Not only would such a hunting culture determine one aspect of masculine identity, but the experiences gained through commercial hunting would impact understandings of what constituted legitimate authority as settlement pushed into Kentucky. As discussed in the introduction, Max Weber defined legitimacy as emanating from the collective approval afforded to traditional, charismatic, or legal-rational forms of authority. On the other hand, true legitimacy can only arise among clearly defined social structures such as political or civic organisations, which provided for a social hierarchy as an expression of collective approval. With these interpretations in mind, this chapter argues that the militia played such a role in defining the hierarchy in Kentucky between 1770 and 1800.[1] Not only would the militia provide an ad hoc social hierarchy in Kentucky during the earliest years of settlement, with the militia commissions determining social standing and deference, but it would also provide an avenue for charismatic Big Men to assert a claim to wider social authority. In a period when external threats combined with issues surrounding subsistence and survival, leaders who demonstrated an ability to organise defensive measures, or inspired confidence through acts of bravery, would have been at a premium. This chapter, while focussing on the role of the militia in establishing a recognisable social hierarchy in Kentucky, will also analyse the ways in which the militia can be used to define changing notions of status, reputation, and masculinity throughout this period. The importance of militia service not only provided an avenue for Big Men to display their

[1] Max Weber, *The Theory of Social and Economic Organisation*, trans. A.R. Henderson and Talcott Parsons (London: William Hodge and Company Ltd., 1947; repr., 1964). 328. Peter M. Blau, *Exchange and Power in Social Life* (New York: John Wiley & Sons, Inc., 1964). 211.

bravery and skill, but the militia also acted as a 'battleground' where legitimate authority could be articulated through contests between traditional elites and charismatic Big Men.[2]

The decision of the Virginia Assembly to create Kentucky County in January, 1777, provided the region with clear provisions for a social hierarchy. County formation formally recognised the region as part of Virginia, and legitimised calls for Virginia's defence and support. It also provided for a clear demonstration of where authority emanated. With Kentucky vulnerable to Indian attack, the first step to providing a civil structure was the appointment of militia officers.[3] Benjamin Logan, John Todd, James Harrod, and Daniel Boone received captains' commissions and would serve under the command of Colonel John Bowman and Major George Rogers Clark – who had been instrumental in Kentucky's county formation. These initial militia appointments were extremely important to Kentucky's early development, and – as meagre as the organisation may appear – the militia would play a significant role in establishing an immediate social hierarchy. An important aspect of this organisation, however, lay in the men commissioned as officers. With the exception of Bowman, the other officers can be more closely associated with the concept of the frontier Big Man. Whether through reputations as frontiersmen or hunters, such as Boone and Harrod, or a willingness to lead by example, in the case of Clark, Logan, and Todd, charismatic understandings of leadership were beginning to emerge. Clark, Logan, and Todd would ultimately be associated more closely with the customary norms of hierarchy. However, that there were different interpretations of leadership present in these commissions fits with understandings of how forms of leadership can be classified and display legitimacy. If the traditional is regulated by customary norms, charismatic leadership can be asserted where permanent structures are weak or no longer suffice. The attempts to provide for customary norms with county formation and militia commissions, demonstrate the ways in which Big Men were able to utilise the militia as a way of advancing legitimate claims to social authority on the frontier through charismatic appeals

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[2] The importance of the militia to Kentucky's early development has been argued by Richard G. Stone Jr., and Harry S. Laver, among others. Stone Jr., described the militia in regards to Kentucky, as the 'midwife at its birth'; while Laver has argued the changing role of the militia in understanding Kentucky's social development. Richard G. Stone Jr., *A Brittle Sword: The Kentucky Militia, 1776-1912* (Lexington: The University Press of Kentucky, 1977). 1. Harry S. Laver, *Citizens More Than Soldiers: The Kentucky Militia and Society in the Early Republic* (Lincoln and London: University of Nebraska Press, 2007).

[3] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 9 (Richmond: J&G Cochran, 1821), 257-62. Thomas D. Clark, *A History of Kentucky* (Ashland, KY: The Jesse Stuart Foundation, 1988). 45-46.

for collective approval.[4] Yet, despite the militia's importance to Kentucky's development, and the evolution of the institution in legitimising authority, the militia had been in a steady phase of development in determining leadership in the decades prior to Kentucky settlement.

Leadership, Legitimacy, and the 'Third Pillar'

While the militia in England was obsolete as a military force by the middle of the eighteenth century, it still held a symbolic role in terms of patriotic duty. Combined with this symbolism, the English militia also continued to provide a status marker for those able to fulfil the property requirements for commissions. A similar understanding for the role of the militia also affected areas of Virginia during a similar period, with the region's relative peacefulness between the 1670s and 1750s requiring little need of an active militia. Most eastern Virginians saw little reason to enrol and muster regularly, and as a result the Virginian militia was characterised by poor regulation. However, the militia continued to retain a prominent role in Virginian notions of status and authority, particularly among gentlemen attempting to bolster their social standing. As a result, officers' commissions in the militia were recognised as the 'third pillar' of Virginian gentility alongside the domination of county courts and parish vestries.[5] A militia commission, as a marker of gentility, delineated county hierarchies, despite the organisation's poor regulation. A commission in itself became the goal, and not the duty of service. A lack of attention from officers therefore added to a general apathy concerning militia service among the wider Virginian male society. While efforts had been made to overhaul and modernise the militia by the middle of the eighteenth century, resistance to service remained widespread among eligible males. During the outbreak of the Seven Years War in the 1750s, Virginia governor Robert Dinwiddie had to contend with some militia companies refusing to muster when called upon for defence.[6] Added to this general resistance, those turning out for service began to state the limits of their commitment, serving under particular conditions or time

[4] Craig Thompson Friend, *Kentucke's Frontiers* (Bloomington & Indianapolis: Indiana University Press, 2010). 78. Blau, *Exchange and Power*: 211. Craig Matheson, "Weber and the Classification of forms of Legitimacy," *The British Journal of Sociology* 38, no. 2 (1987): 213.

[5] Paul Langford, *Public Life and the Propertied Englishman 1689-1798* (Oxford: Clarendon Press, 1991). 266-305. J.R. Western, *The English Militia in the Eighteenth Century: The Story of a Political Issue 1660-1802* (Toronto: University of Toronto Press, 1965). 26, 38, 146. Michael A. McDonnell, *The Politics of War: Race, Class, and Conflict in Revolutionary Virginia* (Chapel Hill: University of North Carolina Press, 2007). 37-38.

[6] Gov. Robert Dinwiddie to Sir Thomas Robinson, July 23, 1755. Col. George Washington to Gov. Robert Dinwiddie, October 11, 1755, both in, Robert A. Brock, ed. *The Official Records of Robert Dinwiddie, Lieutenant-Governor of the Colony of Virginia, 1751-1758*, 2 vols., vol. 2 (Richmond: Virginia Historical Society Collections, 1884), 112, 239.

limits, and demanding to remain within their home counties. These demands were aided by legislation specifying that militias could not march more than five miles beyond the furthest western settlements.[7] By the outbreak of the Revolution, these demands can be attributed to an attempt by militiamen to differentiate themselves from 'lower class' neighbours serving in the Continental Army. However, such a distinction would only be relevant to the 1770s.[8] These demands can also be understood as part of a burgeoning trend for a more consensual style of leadership which had been in gradual development from the midpoint of the eighteenth century. By the 1770s it was becoming common practice for militia companies to elect company commanders, the practice having grown following the Seven Years' War.[9] As a result, militia companies throughout Virginia's backcountry began to take on a different character to their more socially-conscious eastern counterparts.[10]

Prior to the outbreak of the Revolution the framework of the Virginia militia, especially in the eastern counties, continued to provide legal-rational legitimacy for officers which reflected traditionally-established societal norms.[11] Yet, while collective approval legitimised any claim to leadership and authority, where such approval lies can provide an understanding of how militia authority was gained and exercised. Throughout the Virginia

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[7] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 6 (Richmond: W.W. Gray, 1819), 548. H.R. McIlwaine and John P. Kennedy, eds., *Journals of the House of Burgesses of Virginia, 1619-1776*, 15 vols., vol. 8 (Richmond: Everett Waddey Co., 1905-1915), 304-05.

[8] A clear distinction remained between service in the militia and the regular army into the 1840s. When interviewed as an old man, Joshua McQueen wanted it noted that he had enlisted in the continental forces, and was not drafted. Samuel Gibson too, suggested that militia service could provide an exemption from other military service during this period. John Dabney Shane interview with Joshua McQueen, Draper Manuscript Collection 13CC115-129 (hereafter JDS and DM). JDS interview with Samuel Gibson, DM12CC121-125. Lyman Copeland Draper and State Historical Society of Wisconsin, *Kentucky papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

[9] George Washington to Robert Dinwiddie, November 9, 1756, in, W.W. Abbot and Dorothy Twohig, eds., *The Papers of George Washington, Colonial Series*, 10 vols., vol. 4 (Charlottesville: University Press of Virginia, 1983-1995), 2-6.

[10] Both Rhys Isaac and Matthew Ward have discussed the social role that the Virginian militia had in reinforcing hierarchical distinctions, and the importance militia commissions had towards a claim as a gentleman. Albert Tillson, however, has argued that in the backcountry areas of Virginia, where the militia had a more prominent role, local commanders possessed a greater awareness of community needs. Rhys Isaac, *The Transformation of Virginia, 1740-1790* (New York: W.W. Norton, 1988). 109. Matthew C. Ward, *Breaking the Backcountry: The Seven Years' War in Virginia and Pennsylvania, 1754-1765* (Pittsburgh: University of Pittsburgh Press, 2003). 92-95. Albert H. Tillson Jr., *Gentry and Common Folk: Political Culture on a Virginia Frontier 1740-1789* (Lexington: The University Press of Kentucky, 1991). 47.

[11] Hening, *Statues at Large*, 9: 27.

militia prior to the 1750s the collective approval for authority rested on the accepted authority of gentlemen, following a strict interpretation of Max Weber's definitions of legitimate authority. Such collective approval assumed the characteristics of traditional and legal-rational authority. Officers founded their authority on commissions issued by the assembly and governor, as well as the deference expected from social 'inferiors.'[12] The gentry domination of militia commissions could therefore be asserted through these accepted notions of authority. Collective approval rested in the characteristics of traditional authority, which shaped the acknowledgement of the legal-rational; the legality of the command structure was founded on already established notions of deference.[13] In a Virginian context, Weber's definitions of the traditional and the legal-rational can be rearticulated as representing customary norms. Legitimacy was conferred through a collective acceptance of gentry monopolisation of wider social and political authority. In the backcountry however adopting a more charismatic approach to leadership allowed gentlemen-officers to further secure collective approval through a belief in their abilities, rather than traditionally-established norms. This argument is understandable considering the defensive needs of these backcountry regions, as well as a relative weakness of traditional norms among these new communities. Most men have to be 'inspired' to fight, and basing authority on ability rather than social position, would certainly adhere to this understanding of a more 'charismatic' authority conferring legitimacy.[14]

The gentlemen who attempted to legitimise their leadership through charismatic understandings, however, still maintained an expectation that their militia authority would be in keeping with traditional norms. Despite appeals to more charismatic understandings of authority the Virginian backcountry maintained a militia hierarchy, organised in the same fashion as the eastern counties; a county lieutenant supervised the militia in each county. The county lieutenant, as well as the other commissioned officers, represented the most prominent citizens in their counties, and it was not unusual for these men to hold multiple civil and political offices. For example, James Patton, Augusta County's chief militia officer, was not only a collector of duties for skins and furs, but also coroner, and a leading

[12] Edward Kimber, "Observations in several Voyages and Travels in America," *The London Magazine* 1746, 324.
[13] Weber, *Social and Economic Organisation*: 328. Donald McIntosh, "Weber and Freud: On the Nature and Sources of Authority," *American Sociological Review* 35, no. 5 (1970): 904. Blau, *Exchange and Power*: 202.
[14] Tillson Jr., *Gentry and Common Folk*: 51. David D. Gilmore, *Manhood in the Making: Cultural Concepts of Masculinity* (New Haven: Yale University Press, 1990). 121.

justice of the peace throughout the 1740s and 1750s.[15] The example of Patton and his contemporaries – such as Zachary Lewis and John Buchanan – leads to an argument that despite the prevalence of Presbyterianism throughout the Shenandoah Valley, the goal for these men was to establish structures and practices which reflected traditionally-established norms.[16] In the backcountry counties of the Shenandoah Valley, the ultimate goal for gentlemen was to reassert the traditional social norms of the east. However, the relative newness of these regions resulted in concessions having to be made, especially in how militia authority was wielded. These concessions demonstrated the agency backcountry men could have when serving in militia companies.[17]

To a certain extent the deferential culture of Virginia was recreated in the western counties, with a collection of elite families dominating the landscape. Most notably this domination came from the contemporaries of James Patton, his nephew William Preston, and their extended families.[18] In order to legitimise the holding of multiple offices and the efforts to establish traditional gentry norms in the hierarchy, concessions had to be made, which can be best exemplified through the militia. A stereotypical interpretation of frontier history would assign any concessions to the 'natural liberty' of the pioneer male. While this is partly present, the settlement of Virginia's western lands coincided with the growing importance of a hunting culture among non-elite males. Such a culture, and the evolution of hunting into a commercial enterprise, not only provided frontier Big Men with leadership experience, but informed a method of authority which included a degree of consultation

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[15] Certificate to appoint James Patton as Lieutenant Colonel for Augusta County, 1742, DM1QQ6. Certificate to appoint James Patton as Collector of Duties (Skins and Furs) for Augusta County, October, 1743, DM1QQ7. Certificate to appoint James Patton as Coroner for Augusta County, 1752, DM1QQ67. Certificate to appoint James Patton as Lieutenant for Augusta County and Chief Commander of the Militia, July 16, 1752, DM1QQ67. William Preston, Lyman Copeland Draper, and State Historical Society of Wisconsin, *William Preston papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

[16] Patton's nephew, William Preston, would later be appointed lieutenant-colonel of the Botetourt County militia in 1769. Commission as Colonel of Botetourt Militia, December 22, 1769, Preston Family Papers (1727-1896): Folder 608, Virginia Historical Society Special Collections, Richmond, Virginia (hereafter VHS).

[17] Gail S. Terry, "Family Empires: A Frontier Elite in Virginia and Kentucky, 1740-1815" (PhD Thesis, The College of William and Mary, 1992), 34. Tillson Jr., *Gentry and Common Folk*: 28-34, 47.

[18] Patton's main business was land speculation, and as a result, he was involved in settling large patents in Western Virginia. In his Will, Patton's estate appeared relatively small with landholdings of 6,000 acres. This was due to the practice of Patton and his contemporaries, distributing much of their lands before death to family members, thereby establishing them as elite landowners. When this distribution is taken into account, Patton had landholdings of at least 12,000 acres. Preston followed similar practices in distributing his estate. Along with his lands, Preston also owned 51 slaves at his death in 1783. Will of James Patton, Augusta County, 1750, DM1QQ63. Sarah S. Hughes, *Surveyors and Statesmen: Land Measuring in Colonial Virginia* (Richmond: The Virginia Surveyors Foundation, Ltd., 1979). 160.

based on a hierarchy of ability.[19] During the Seven Years' War, backcountry elites encountered these changes first hand in an effort to wield authority; exemplified by the Sandy Creek expedition of 1756. This expedition has been described as a complete fiasco, with many of the officers involved in personal rivalries. A young Andrew Lewis, from one of the most prominent families in southwestern Virginia, had been appointed commander by Governor Dinwiddie, though Obadiah Wilson and John Smith both felt they deserved the appointment. During the campaign the body of the militia made their displeasure shown. After struggling to find enough game to provision the men, it was noted by William Preston, that the majority of the force was becoming increasingly disgruntled. By March, the militia was in open revolt and, despite an appeal from Lewis, all but a handful of men returned home. In the aftermath, the officers may have sought to lay the blame for the fiasco on the volunteer militia. However, the Sandy Creek expedition can be interpreted as a prelude to a different style of command. The officers may have based their authority on legal and customary norms, but this form of authority could not maintain the collective approval of the militiamen. By mutinying, the men were displaying the lack of faith in their commanders, and because of this the officers no longer had any legitimate claim to authority over them. As the defensive needs of the western counties remained high following the Seven Years' War, the experience of Sandy Creek would help to redefine an understanding of authority which depended on the collective approval of the militia for legitimacy, and not just an assumption of traditional norms.[20]

By the 1770s the extent of the concessions that had been made by gentry officers seeking to legitimise their militia authority, became evident during the short-lived conflict of Dunmore's War. This 1774 conflict was the result of heightened tensions with the Shawnee, brought about due to the increase of settlement ventures further west. Despite the weakness of traditional forms of authority present in frontier militia companies from the 1750s, by 1774 those assuming the highest positions in the frontier militia still reflected the wider Virginian social hierarchy.[21] Those holding the rank of major and higher included the most prominent men in western Virginia, among them William Preston, William Fleming, and Thomas, Andrew and Charles Lewis. Such men based the legitimacy of their position on official commissions issued by the governor. However, a more consensual

[19] Kathryn Harrod Mason, *James Harrod of Kentucky* (Baton Rouge: Louisiana State University Press, 1951). 56. For a more extensive discussion on the influence of hunting to aspects of masculinity and authority see chapter three.

[20] William Preston – Diary of the Sandy Creek Expedition, February 9 – March 13, 1756, DM1QQ96-123. Ward, *Breaking the Backcountry*: 104-06.

[21] Reuben Gold Thwaites and Louise Phelps Kellogg, eds., *Documentary History of Dunmore's War 1774* (Madison: Wisconsin Historical Society, 1905).

approach was becoming established for other officer commissions, with militia companies often electing their company commanders. Charismatic Big Men were beginning to break into the commissioned ranks. The legitimacy of these men can assume both traditional and charismatic tendencies, as while they would be given official commissions, field officer positions were filled by the county lieutenant and not the governor – who merely ratified the decision.[22] Despite the greater awareness of the desires of backcountry militiamen however, popular resentment to orders was still high, with legislation reflecting the desire of militiamen to serve only within their own counties. With such legislation and concepts of leadership during Dunmore's War, company commanders corresponded at length on the difficulties they faced convincing men to volunteer for the campaign against the Shawnee.[23] The issues with raising the necessary men reached such an extent that John Floyd resorted to utilising the popularity of local Big Men to encourage volunteers. In a letter to William Preston, Floyd recounted the assistance of Daniel Boone in raising the required volunteers in his district. Boone may not have held a commission as an officer, but Floyd hoped that his reputation as a skilled hunter and local authority figure would encourage participation from other men. The hope that Boone's influence could convince backcountry men to leave their homes and families for militia service demonstrated the extent local reputations could have in gaining collective approval, especially compared to traditional norms. Floyd may have been the appointed officer, but Boone's standing as a local Big Man arguably gave him a greater chance of raising men for service than the official officers.[24]

By the outbreak of Dunmore's War, Boone had received a militia commission of sorts, having been made an ensign during the summer of 1774. Under traditional norms Boone did have some claim to authority among his local company, but it was his reputation among settlers which provided the basis for any claim of further authority, a reputation echoed by his superiors. Arthur Campbell stated that 'Mr Boon [sic] is very diligent at Castle-Woods and keeps up good Order,' and by September Boone was entrusted with coordinating the defence of Fort Moore.[25] By October, Daniel Smith had forwarded a petition from the inhabitants of the Holston River region to William Preston in which they called for Boone to be made a captain. Captain Smith endorsed the sentiments contained

[22] Hening, *Statutes at Large*, 6: 541.
[23] John Montgomery to William Preston, October 2, 1774, DM3QQ110. Arthur Campbell to William Preston, September 29, 1774, DM3QQ106-107. John Floyd to William Preston, August 29, 1774, DM33S251-252. Draper and State Historical Society of Wisconsin, *Draper's notes*.
[24] John Floyd to William Preston, August 28, 1774, DM33S254-256.
[25] Campbell to Preston, September 29, 1774, DM3QQ106-107.

in the petition, stating that Boone was 'an excellent woodsman. If that would only qualify him for the Office no man would be more proper.'[26] Arthur Campbell expressed similar sentiments regarding the petition, believing that 'a distant Officer would not be so particularly interested for their safety as he who lives among them.' Influenced by the petition and the support shown by Smith and Campbell, Preston, as county lieutenant, commissioned Boone a captain. While it is significant that traditional militia officers, such as Smith and Campbell, supported this popular movement to commission Boone, it is more significant that such support was given with the petition calling for Boone to be 'at liberty to act without orders from Holston captains.'[27] The petition, however, can be regarded as an expression of the collective approval the Holston settlers had of Boone, thereby legitimising him as an authority figure. It is possible that officers such as Smith, Campbell, and even Preston, supported the petition for fear of jeopardising their own collective approval in the region. Any public opposition from traditional officers would have raised questions over their legitimacy, especially when compared to charismatic Big Men.[28]

Boone was by no means the only frontier Big Man to benefit from the support of his local community during Dunmore's War, or to receive the legitimacy of a commission. Joseph Drake, likewise based his claim to legitimate authority on the collective approval of his local community. However, unlike Boone, the collective approval for Drake was not demonstrated through a petition to the militia hierarchy, but rather as an act of defiance towards such traditional norms. As a prominent Big Man and hunter, Drake had experience leading large groups of men and represented a local alternative to the 'official' militia hierarchy. With traditionally appointed commanders struggling to raise the necessary volunteers for the upcoming campaign and many residents on the upper Holston expressing displeasure with their appointed commanders, Drake seized the opportunity to raise his own company.[29] Drake's reputation convinced many militiamen that they would rather serve under his command, especially among William Campbell's regiment, and he did all he could to disrupt the efforts of militia officers. Despite not holding a commission in the militia, Drake's tactics appear to have been successful with Arthur Campbell eventually relenting, granting Drake supplies, and encouraging all volunteers to march under officers they had chosen.[30] Campbell had hoped to postpone any serious issues regarding the

[26] Daniel Smith to William Preston, October 13, 1774, DM3QQ119.
[27] Arthur Campbell to William Preston, October 13, 1774, DM3QQ123.
[28] Reading the two letters dated October 13, it is clear that it was Daniel Boone who was entrusted to deliver both letters, and the petition, to William Preston.
[29] Tillson Jr., *Gentry and Common Folk*: 55.
[30] Arthur Campbell to William Preston, August 12, 1774, DM3QQ75.

hierarchy until the full force had assembled, hence his relenting to Drake's tactics. However, Drake continued his efforts to command his own company, much to the frustration of other officers. Aside from the disruption to William Campbell's regiment, with ten men refusing to march unless Drake was their officer, Drake's tactics disrupted the organisation of other regiments also. John Floyd declared that Drake had raised forty men though these tactics, while five other companies demanded to elect their own officers as a result. Drake was subsequently granted a commission during Dunmore's War, and achieving legitimacy under traditional norms, joined Boone and James Harrod as Big Man officers.[31] However, the basis of Drake's legitimacy was based on the collective approval he received from the volunteers he raised; men who elected to serve under him, regardless of whether he was an 'official' officer or not. Yet, despite this collective approval the presence of Boone and Drake as company commanders was resisted by traditional officers.

The presence of men such as Boone, Drake, and Harrod as commissioned officers in 1774 may have been the result of the collective approval of militiamen. However, the approval of these men as officers was not always reflected by their superiors when referring to charismatic Big Men.[32] The commissions of Boone and Drake may have further legitimised both men as charismatic leaders, due to the collective approval over those they led, yet the reluctance of traditional candidates to integrate these frontiersmen into the militia hierarchy expresses the importance of commissions to understandings of status. Following their commissions, neither Boone nor Drake were referred to by rank when mentioned in the correspondence of their militia superiors. That Drake was not referred to by rank is certainly understandable, due to the officers he irked when raising his own company. However, the references to Boone are arguably more revealing. The petition to commission Boone carried the aforementioned support of both Daniel Smith and Arthur Campbell. Prior to his commission, Campbell had assigned Boone no rank in a letter to William Preston despite Boone being an ensign in command of a company at Moore's Fort. Despite the support of the petition, one month after Boone received his commission,

[31] John Floyd to William Preston, August 26, 1774, DM33S249-250. Floyd to Preston, DM33S251-252. John Floyd to William Preston, August 28, 1774, DM33S252-254. John Floyd to William Preston, August 28, 1774, DM33S254-256.

[32] James Harrod received his commission as a captain, after directly appealing to Arthur Campbell in August, 1774. While Harrod can certainly be regarded as a charismatic Big Man, that his promotion was primarily a result of self-interest and not an expression of wider collective approval, his commission has not been discussed alongside those of Boone and Drake. Arthur Campbell to William Preston, August 3, 1774, DM3QQ70.

Campbell referred to 'Mr Boone' in another letter to Preston.[33] Referring to these charismatic Big Men as 'Mr' rather than by rank not only represents an effort by traditionally established officers to restrict access to the 'third pillar,' but arguably demonstrates an attempt to exert control over perceived social inferiors. These inferiors legitimised their authority through the collective approval of militiamen, and as a result would have been somewhat immune to the orders of superiors. Yet, these frontiersmen were not alone in seeking to use collective approval in legitimising their authority.[34]

In checking the rise of charismatic Big Men in the militia, one option for a few gentry officers was to demonstrate similar credentials in an attempt to gain collective approval.[35] Charles Lewis, a colonel from a prominent Augusta County family, displayed a concept of authority more in keeping with Boone, than his elder brother Andrew. While Andrew Lewis had experienced command during the Sandy Creek expedition and commanded the militia during Dunmore's War, Charles had become a popular officer among frontier men due to a reputation as a brave and skilled commander, a leader who inspired those under his command. The circumstances which surrounded his death during the battle of Point Pleasant – the only significant engagement of Dunmore's War – merely increased this reputation. During the engagement Lewis was wounded whilst urging his men forward. Despite the mortal wound, Lewis continued to encourage his men and returned to camp unaided before dying in his tent.[36] The aftermath of the campaign would place Charles' actions in direct contrast with his brother. Whereas Charles Lewis' self-sacrifice inspired his men, Andrew Lewis was fully concerned with ideals of dignity and natural authority. His efforts to impose discipline on the militia were once more met with resistance, with John Stuart claiming that this resistance to his authority eventually cost Andrew a commission in the continental army. A ballad commemorating Point Pleasant explicitly contrasted the leadership of both brothers:

> Charles Lewis our Colonel was the first in the field,
> He received a ball but his life did not yield,
> In the pursuit of honour he did animate,
> All those that fought near him or on him did wait.

While Charles was praised for his bravery and self-sacrifice in inspiring his men, Andrew was criticised as aloof and cowardly during the campaign:

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[33] Arthur Campbell to William Preston, October 6, 1774, DM3QQ116. Arthur Campbell to William Preston, November 4, 1774, DM3QQ129.
[34] Blau, *Exchange and Power*: 202.
[35] Tillson Jr., *Gentry and Common Folk*: 52.
[36] Early History of Greenbriar County/Col. John Stuart's Narrative, DM1ZZ34[9]. Draper and State Historical Society of Wisconsin, *Virginia papers*.

> And old Andrew Lewis, in his tent he did set,
> With his cowards around him, alas he did sweat
> His blankets spread over him, and hearing the guns roar,
> Saying was I at home, I would come here no more.

Despite these contrasting representations, however, it must be remembered that Charles Lewis, for all his charismatic tendencies, was still a member of the established militia hierarchy. However, that Lewis utilised charismatic collective approval to strengthen his legitimacy as an officer does suggest the changes that were taking place into the 1770s over where authority ultimately lay.[37]

The contrasting approach to authority from Andrew and Charles Lewis does, however, raise certain questions over where the legitimacy of the militia hierarchy lay by the 1770s. The militia in Virginia, certainly, had a clear hierarchical structure when it came to issuing commissions. In theory, the county lieutenant was appointed by the governor, and was responsible for appointing his subordinate officers. The county lieutenant had authority to issue blank commissions already signed by the governor. What made this system, and the militia commissions, legitimate was that the community accepted their validity. However, in practice, county lieutenants often based the appointment of field officers on the recommendation of his immediate subordinates, altering the manner in which collective approval was expressed. Under such practices officer appointments expressed local concerns, and is why George Washington could complain about companies electing their commanders and Daniel Boone could gain a commission by 1774. The legal-rational structure may have reflected traditional norms regarding rank and hierarchy, but by the 1770s, there were mechanisms for commissions to reflect the collective approval of settlers. Commissions were, therefore, only legitimate if the system was accepted as such by the backcountry population. The Revolution certainly impacted the understanding of legitimacy throughout the colonies, but within the Virginia militia the greatest impact was the altering of customary norms in order to maintain legitimacy. During the period between the collapse of royal authority and the establishment of the revolutionary government, the hierarchy of commissions remained the same, but for the committee of safety replacing the role of governor. By 1776, however, the new state constitution authorised the governor to commission officers based on the recommendations of county courts. This new framework, while rearticulating the previous customary norms, arguably

[37] John Stuart's Narrative, DM1ZZ[12], 1ZZ[16]-1ZZ[17]. Thwaites and Kellogg, *Documentary History of Dunmore's War*, 434-35. A poem dedicated to Charles Lewis and his death also appeared in the *Virginia Gazette* during 1775. *Virginia Gazette – Williamsburg*, no.7, March 17, 1775, VHS.

acknowledged local needs to a greater degree when issuing commissions. By providing a greater feeling of consensus and participation in the process, the legal-rational structure of the militia had a greater chance of gaining the necessary collective approval for legitimacy. In this revised structure, how a traditional officer used collective approval to strengthen his legitimacy in response to the emergence of frontier Big Men as officers shows the militia increased in importance as a way to legitimise status in Kentucky.[38]

The Kentucky Militia and the Charismatic Big Man

The appointment of frontier Big Men as officers in the backcountry militia, and the legitimacy of such commissions on charismatic grounds, is a significant development from Dunmore's War. Likewise, the resistance of some traditional officers to the inclusion of frontier Big Men is equally significant, especially regarding the future nature of authority on the frontier. Such resistance is particularly evident when defining the role the Kentucky militia would play in establishing a social hierarchy. By the 1770s a militia commission was still a prized denominator of status, and despite the concessions to a more consensual/charismatic style of leadership the highest positions were retained by members of the gentry, reflecting traditionally-established norms. However, as settlement pushed into Kentucky, simply holding a higher rank would not necessarily entitle a gentleman to automatic collective approval. As a result of the existence of more charismatic leadership candidates the contests for authority during Kentucky's early years had the potential to become personal, with long-lasting grudges. A particular example of the grudges that could exist between gentry officers and frontier Big Men can be seen in the relationship between Richard Callaway and Daniel Boone from 1775 onwards. Such a relationship encapsulates the contests for collective approval between traditional gentlemen and charismatic frontier Big Men in an effort to legitimise a claim to authority. For Callaway and Boone their contest began with the beginnings of Kentucky settlement during the spring of 1775, and the leadership of the party assigned to cut a road through the wilderness into the region. As a militia colonel – claiming authority through traditional norms – Callaway would almost certainly have expected to command, yet this was not the case with the hierarchy of the small group.[39]

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[38] Hening, *Statues at Large*, 9: 27-28, 116-17. Gordon S. Wood, *The Radicalism of the American Revolution* (New York: Random House, 1991). 74. For a further discussion regarding the influence of the Revolution and understandings of legitimacy, see the introduction.

[39] John Mack Faragher, *Daniel Boone: The Life and Legend of an American Pioneer* (New York: Henry Holt and Company, 1992). 113.

Felix Walker, a member of the party who later published his recollections, provided an insight into how the leadership of the road party was determined. According to Walker, the thirty men who made up the party, by 'general consent' placed themselves 'under the management and control of Col. Boon.'[40] Such a decision represented clear demonstrations of legitimising authority based on experience and not social standing. These demonstrations have arguably greater significance when considering that, in a region where militia ranking carried enormous importance the highest ranked individual did not have the collective approval of the majority. Callaway's rank as a colonel was not enough to legitimise his authority without the collective approval of the group. Basing the authority on Boone's greater experience with the region, and not on Callaway's higher rank, appears to have been the correct decision. While the lack of collective approval may have irked Callaway, and contributed to his future rivalry with Boone, Boone successfully justified his authority, displaying a cool head in the face of the Indian dangers that the party encountered on their journey. It would be these Indian dangers that would blight the development of Kentucky, and come to define the central role of the militia in Kentucky's social hierarchy.[41] However, despite the potential for traditional elites to feel slighted by demonstrations of consensual authority which usurped rank, having a rank still automatically identified a man as an authority figure. In order to legitimise a claim to authority, and gain collective approval, it would therefore be necessary for all candidates to demonstrate their abilities, especially if said demonstrations included discrediting rival candidates.

Between the spring of 1775 and January 1777 there was little formal social organisation in Kentucky. Competing claims to who held dominion over the region also added to the problems of constructing a working hierarchy. As a result, other characteristics came into play in order to determine which Big Man to accord deference. The leading military and economic figures would have provided a logical focus for authority in Kentucky, yet settler decisions clearly reflected issues of defence and security when it came to expressing their preferences.[42] During the earliest years, the rise of the charismatic

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[40] Felix Walker's Narrative of his trip with Boone From Long Island to Boonesborough in March, 1775 (Written about 1824. Published in Debow's Review of February, 1854), in, George W Ranck, *Boonesborough: Its Founding, Pioneer Struggles, Indian Experience, Transylvania Days, and Revolutionary Annals* (Louisville: John P. Martin & Company, 1901). 163.

[41] Faragher, *Daniel Boone*: 112-17. Ranck, *Boonesborough*: 164-67.

[42] Malcolm J. Rohrbough, *The Trans-Appalachian Frontier: People Societies, and Institutions 1775-1850*, Third ed. (Bloomington and Indianapolis: Indiana University Press, 2008). 7. Elizabeth A. Perkins, *Border Life: Experience and Memory in the Revolutionary Ohio Valley* (Chapel Hill: The University of North Carolina Press, 1998). 132-41.

Big Man, and the role of consensus, can be seen in the process of the foundation of the first permanent settlements in Kentucky. As with the choice of commander for the road-marking party, Boone and other charismatic frontiersmen were often preferred to traditional superiors in the naming of the first forts and townships. The fort founded by the road-markers commemorated Boone's leadership, being christened Fort Boone in April 1775, unintentionally slighting Callaway once more. The name, which appears to have been another consensual decision among the road-markers, not only commemorated Boone ahead of Callaway, but also Richard Henderson, the North Carolina gentleman employing Boone. The later renamed Boonesborough was not alone in commemorating the leadership of a charismatic Big Man, however. Harrodsburg – inhabited since March 1775 – was also christened after its founder, James Harrod; naming a fort or station for a prominent settler became a popular option. In the interviews conducted by John Dabney Shane during the 1830s and 1840s, there are over 950 references to 'stations' from settlers. However, of these references only around 10 per cent carry the name of recognisable gentry. Two of the most prominent settlers to establish stations in Kentucky by the early-1780s, John Floyd and Levi Todd, have their stations referred to a combined 9 times.[43] While debates continued into the nineteenth century over which of these two settlements deserved the honour of Kentucky's first, it is significant that both were named after frontier Big Men and not members of the gentry. From the aforementioned figures, some of the most frequently recollected stations were those named after Daniel Boone and John Strode. Added to the naming of these settlements, the terminology used to describe them and future settlements, as 'forts' or 'stations' suggests the importance of militia organisation and security in early Kentucky.[44]

While the various factions attempted to set out an early political structure in Kentucky, defensive concerns were at the forefront of many settlers' minds. By May, Richard Henderson held a convention at Boonesborough in an attempt to legitimise his authority over the region. Aside from Henderson, Boone, and Callaway, the convention was attended by other prominent settlers, including James Harrod, John Floyd, and Joseph Drake. According to Henderson's journal, one proposal from this convention called for

[43] For references to specific stations and forts see the John Dabney Shane interviews contained in volumes 11CC-15CC of the Draper Manuscript Collection's *Kentucky Papers*. Draper and State Historical Society of Wisconsin, *Kentucky papers*. It should be noted that the station references referred to include multiple references to the same settlements. During this period the number of stations and forts in Kentucky was around 120. For a further discussion on the development and naming of these frontier stations see chapter six.

[44] Louisville News-Letter, May 23, 1840, JDS Scrapbook, DM26CC72-74. Louisville Journal, May 26, 1841, JDS Scrapbook, DM26CC20-21. Faragher, *Daniel Boone*: 117. Perkins, *Border Life*: 151-52.

'establishing a Militia,' and by early June the process of granting militia commissions was underway. While the granting of commissions can be interpreted as an attempt to legitimise the authority of his Transylvania Company, earlier entries from the journal seem to suggest that Henderson was bestowing commissions on men already seen as leaders in the eyes of settlers. By following this tactic Henderson's hopes for Transylvanian legitimacy would have been aided by choosing militia officers who already had the collective approval of the militiamen.[45] The entries for April and May have many references to men with military titles, including Harrod, Boone, and Callaway. Henderson also referred to Captain John Floyd as 'a leading man on Dick's River.' However, as with Arthur Campbell and William Preston during Dunmore's War, Henderson only refers to Floyd consistently by rank. Occasionally referring to Boone and Harrod as 'Mr,' Henderson ignores the militia standing of Drake completely in his journal entries. How much this was down to the way Drake came to prominence in the militia is open to speculation.[46] With question marks surrounding the legitimacy of the Transylvania Company's authority over Kentucky in 1775, Henderson's journal offers an insight into the concerns settlers had with whom was best equipped to organise this society. From the decision to congregate in forts, settlers chose to place their faith in men with experience and an ability to inspire confidence. More and more, the consensual nature of militia leadership demonstrated during Dunmore's War was beginning to transcend the command structure and impact the wider social organisation of Kentucky.

While an organised militia was an expected development in Kentucky the development of forts into stations was a new occurrence.[47] Regardless of the defensive benefits that Boonesborough and Harrodsburg provided to the small Kentucky population in 1775, their role as a focal point of settlement was more important than any defensive gains. Despite their shortcomings the forts did provide enough security during Indian raids, raids that increased in frequency throughout the following years.[48] Save for the occasional ambush to travelling parties, major attacks were not commonplace in 1775 and many leading settlers returned east for their families, and to encourage others to migrate. Among these leading settlers, Boone returned to Kentucky in August with his family and around

[45] Journal of Col. Richard Henderson, March 20 – July 12, 1775, DM1CC21-105. JDS Scrapbook, DM26CC76-77. John Floyd to William Preston, May 30, 1775, DM33S270-275.
[46] Journal of Richard Henderson, DM1CC34-36, 72-74.
[47] Rohrbough, *Trans-Appalachian Frontier*: 31.
[48] It is easy to overstate the role of 'forts' in Kentucky, as the word implies a well-defended stronghold. In essence, forts were little more than a collection of cabins built in a square or rectangular formation facing inward. Palisades made from logs filled the gaps between the cabins. JDS interview with Josiah Collins (i), DM12CC64-78. JDS interview with Henry Parvin, DM11CC173.

fifty settlers. Included in this party were Hugh McGary and his family. Described as a 'headstrong man, of fierce passions,' McGary would add his volatile personality to those candidates seeking to legitimise authority.[49] Whereas Henderson and his Transylvania Company struggled to maintain the confidence of settlers through 1775 and 1776, many men who migrated with Boone brought with them a background in hunting leadership and militia service. As settlers quickly lost faith in Henderson, these experienced campaigners held the Kentucky settlements together. During periods of increased Indian hostility, demonstrating skill in combat and defending settlers would come to the fore as criteria for legitimising authority.

The threats which Indian attacks posed to the settlements grew throughout 1776. By July John Floyd wrote to William Preston about the situation, arguing that the 'Indians' are 'determined to break up our settlement,' and that Indians were responsible for the deaths of several settlers during that summer.[50] The most prominent example of the Indian threat is arguably the capture of the daughters of Daniel Boone and Richard Callaway prior to Floyd's letter. Settlers John Gass and William Whitley recollected that the capture, and subsequent rescue of the girls, was the first Indian threat posed to the settlers of Boonesborough. The oft cited example also serves as an example of Boone's authority among the settlers, as during the rescue the men involved all appear to have deferred to Boone's judgement when implementing the rescue strategy.[51] However, while Floyd painted a bleak picture of Indian attack and estimated that there were only three hundred settlers in Kentucky by the summer of 1776, the rising attacks were not in themselves the most significant factor in determining settler numbers, but rather the fear of attack.[52] The population of Kentucky during 1776 was estimated around one thousand settlers, and would drop to nearer three hundred by January 1777 as a result of the attacks and the fear they caused. Yet, the Indian threat cannot be held solely accountable for the problems faced by the remaining Kentucky settlers. The population drop coincided with the rejection of Richard Henderson and the authority of his Transylvania Company. The collapse of the scheme, an example of the importance of collective approval in legitimising authority,

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[49] Daniel Bryan to Lyman Copeland Draper, April 1844 (copy), DM22C11 (hereafter LCD). Daniel Boone, Lyman Copeland Draper, and State Historical Society of Wisconsin, *Daniel Boone papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]). Faragher, *Daniel Boone*: 126.

[50] John Floyd to William Preston, July 21, 1776, DM33S300-305.

[51] Gass described the capture of the girls as, 'the 1st mischief done by the Indians.' Whitley, likewise, framed the attack within an overall peaceful context, stating in his narrative that, 'time went on very smooth with us till the spring of 76, when the Indians took Boone and Callaway's daughters.' JDS interview with John Gass, DM11CC11. Col. William Whitley's Narrative, DM9CC17-18.

[52] John Floyd to William Preston, May 1, 1776, DM33S291-292.

greatly impacted the social organisation of the region. 1777 would mark a crucial year in the development of Kentucky, and began in earnest the importance of militia commanders to the region.[53]

With the legitimacy of Henderson's Transylvania Company void by the end of 1776, aggrieved settlers petitioned the Virginia Assembly for restitution. Both in terms of population and organisation, the Kentucky settlements were on the brink of collapse by January 1777. County recognition from Virginia helped to secure the future of the settlements however, and clarified one aspect of where authority was vested; Virginia over the Transylvania Company. County organisation provided for political representation as part of Virginia and, importantly, it provided immediate provisions for an organised militia structure as well as an aspect of the legal-rational recognition for those seeking to legitimise social authority. In appointing militia officers for Kentucky County the committee of safety responsible for such appointments, in many cases legally recognised the collective approval of the settlers. Collective approval may have legitimised a charismatic Big Man's claim to authority, but a commission ratified that claim.[54] The appointments may have reflected the collective approval of the majority of settlers, yet they were not without contention. While they provided legal-rational legitimacy for those commissioned, such appointments arguably acted as a spur to those ignored. Both traditional and charismatic candidates needed to prove their abilities against rivals, while those commissioned would need to justify supremacy over rivals. Once more Daniel Boone and Richard Callaway would encapsulate the rivalries that occurred between rival candidates. Despite having a colonel's commission in the Virginian militia, Callaway arguably had no legitimate recognition in Kentucky. Boone's commission during the county formation legally recognised the collective approval he held among his community. As a result of these commissions, Callaway would frequently find opportunities to erode this collective approval and disparage Boone's position. One observer at Boonesborough during 1775 expressed amazement at the degree of 'insolence and impertinence' displayed by backwoodsmen and felt that such expressions of collective approval, and the efforts to challenge authority, represented 'all anarchy and confusion.'[55]

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[53] Faragher, *Daniel Boone*: 131-40.

[54] Hening, *Statues at Large*, 9: 27. James Rood Robertson, *Petitions of the Early Inhabitants of Kentucky to the General Assembly of Virginia, 1769 to 1792* (Louisville: John P. Morton & Company, 1914). 36-37.

[55] John F.D. Smyth, *A Tour in the United States of America: Containing An Account of the Present Situtation of that Country; Etc.*, 2 vols., vol. 1 (London: G. Robinson, 1784). 330.

During 1778, Callaway's rivalry with Boone and his attempts to disparage Boone's legitimacy, reached a head. Boone had been captured by the Shawnee in early February, along with around twenty eight settlers, while boiling salt on the Licking River. In the months following the capture, a small number of the men escaped back to Kentucky, and rumours surrounding Boone's conduct and loyalty began to spread. Andrew Johnson, one of the first to escape, told of Boone's conduct while a captive and a deal brokered with the British at Detroit. When Boone reappeared at Boonesborough on June 20, he was deposed by Callaway who sought to discredit his rival by casting doubt on Boone's supposed actions while a captive. While a rivalry between Callaway and Boone was nothing new by 1778, part of Callaway's attempts to cast doubt on Boone's legitimacy as a leader can be understood in terms of loyalty and Loyalism. Conspiring with the Shawnee and British to surrender the Kentucky settlements clearly raised issues regarding Boone's loyalty to the settlers and the authority they bestowed on him. However, the larger issue concerned from where these authority figures saw their legitimacy emanating. Unlike other areas of the southern backcountry, Kentucky saw no open conflict between Tories and Whigs. There were many, such as Boone's in-laws – the Bryans – who were known British sympathisers, yet local defensive concerns appear to have trumped political ideology in most instances. However, Boone was rumoured to have traded on his commission signed by Dunmore while a captive at Detroit, raising unanswerable questions regarding whether a commission issued by the British was more legitimate than one issued by the Virginia assembly.[56]

Such issues can lie in an understanding of recognition. Boone's Virginia commission – like his commission from Dunmore's War – was a vindication of the collective approval bestowed on him by his community. He was recognised for his skill and experience in a region where such skills were needed and prized. Simon Girty on the other hand, was thought to have defected to the British after his frontier skills were not recognised with a commission as an interpreter with the American forces.[57] Girty did not have the collective approval which legitimised a claim to authority and, while political ideology surely had a role to play, the most significant factor is surely that a commission – wherever it was issued – was a vindication of an existing position of authority within a community. Questions regarding the legitimacy of commissions do play into debates surrounding 'loyalty,' however, the legitimacy of a commission only became an issue once

[56] The capture of Boone and the party of salt-boilers, the subsequent siege of Boonesborough, and Boone's conduct throughout, are important and well-known events in discussions of Kentucky history. JDS interview with Josiah Collins (i), DM12CC76. Faragher, *Daniel Boone*: 154-99.

[57] JDS interview with Patrick Scott, DM11CC8-9. JDS interview with William McBride, DM11CC257-263. JDS interview with Joshua McQueen, DM13CC118-120.

the Revolution had begun. In Virginia, certainly, all militia officers commissioned prior to 1776 had their rank maintained in the new state. Maintaining these commissions legitimised the officers already serving in the militia and acknowledged the collective approval already placed in these men. Outside of Virginia similar acknowledgements to the legitimacy of collective approval are also apparent. Despite North Carolina statutes requiring a customary oath of allegiance, militia commissions were appointed by the Senate and House of Commons, representatives of the people, and not the governor. In Pennsylvania, which had no organised militia prior to 1776, all officers were elected or nominated rather than commissioned.[58] Numerous other militia officers in Kentucky, and throughout the backcountry, owed their initial rank to British commissions and therefore, during this period, true legitimacy lay with the collective approval and recognition of settlers. Therefore, a British commission would only cease to be legitimate for militia authority if it was issued after 1776; yet this would not stop rivals attempting to use the 'Loyalist' issue to discredit each other.

Having been deposed by Callaway, and had his conduct called into question, Boone would have felt some vindication when another escaped captive, William Hancock, corroborated part of his story. Feeling vindicated and facing a defensive campaign against the Shawnee, Boone subverted Callaway and forwarded the depositions of himself and Hancock to Arthur Campbell – commander of the Fincastle militia – in an effort to secure reinforcements.[59] Questions over authority continued to overshadow the defence of Boonesborough during September 1778, and after a successful defence Callaway continued his efforts to discredit Boone. Callaway called for Boone to be court-martialled and answer charges that Boone had deliberately surrendered the salt-boiling party to the Indians in February, conspired to surrender the settlements to the British while at Detroit, and upon returning to Boonesborough, encouraged half of the defensive force to take part in a raid north of the Ohio River.[60] For Daniel Trabue, who witnessed the court-martial, Callaway was intent on depicting Boone as a Tory, and that 'he [Boone] was in favour of the britesh government, that all his conduct proved it.'[61] Regardless of the validity of the charges,

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[58] Hening, *Statues at Large*, 9: 116-17. Walter Clark and William Saunders, eds., *The Colonial and State Records of North Carolina*, 26 vols., vol. 23 (Raleigh: Printers to the State, 1886-1907), 981, 99. James T. Mitchell and Henry Flanders, eds., *The Statues at Large of Pennsylvania from 1682 to 1809*, 18 vols., vol. 9 (Harrisburg: State Printer of Pennsylvania, 1895-1915), 77.

[59] Daniel Boone to Arthur Campbell, July 18, 1778, DM4C78-80.

[60] Faragher, *Daniel Boone*: 199-202.

[61] Daniel Trabue's Narrative, DM57J33. George Rogers Clark, Lyman Copeland Draper, and State Historical Society of Wisconsin, *George Rogers Clark papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

Boone was acquitted by the jury, an affirmation of his position as a charismatic Big Man. Adding further aggravation to Callaway the jury also promoted Boone to major.[62] As with the acquittal, Boone's promotion demonstrated that the collective approval of the settler militia maintained a significant role in legitimising an authority figure rather than an acceptance of traditional norms. They had maintained confidence in an experienced frontiersman who could react to situations. Yet, the court-martial and Callaway's rivalry with Boone displayed the extent to which being seen or accepted as a leader, came to be equated with fighting Indians and defending the settlements, and many traditional candidates were able to secure legitimacy through this avenue.[63]

Defensive organisation maintained a high priority in Kentucky throughout the first decade of settlement and as a result an emphasis on distinguishing oneself in combat grew in importance. The need to gain the collective approval of settlers by demonstrations of dramatic action was felt by both frontier Big Men and gentry officers. John Todd proved his willingness to lead the fighting when wounded attempting to rescue ambushed settlers outside Boonesborough in April, 1777.[64] Benjamin Logan demonstrated his bravery by rescuing a wounded settler outside of his station, using a sack of wool as a shield against Indian bullets.[65] Todd and Logan represented more traditional norms regarding authority in Kentucky, yet, like the actions of Charles Lewis at Point Pleasant, they showed a willingness to display dramatic action. Whereas Richard Callaway sought to discredit the legitimacy of rivals to secure his own standing, Todd and Logan were prepared, at least in the short term, to appeal to charismatic principles and gain the collective approval of settlers. Todd would later be elected as one of Kentucky County's first delegates to the Virginia assembly, no

[62] Daniel Trabue's Narrative, DM57J33.

[63] Daniel Trabue's account of the court-martial remains the most cited contemporary manuscript of the event. Both Boone and his family were silent regarding the episode in recollections and interviews, though some mention was made by Rebecca Boone's relatives. However, Boone apparently wrote to Rebecca prior to the court-martial, most likely to assure her he was alive, and spoke of a delay in his journey east due to the incident. Unfortunately the letter did not survive, though Daniel Boone Bryan, in an interview with Lyman Copeland Draper, suggested that Boone included a number of profane statements regarding the British. Whatever the accuracy of this account, the absence of recognition of the court-martial from the records of Boone and his son, Nathan, makes clear that the incident carried embarrassment for the frontiersman. The court-martial made implications regarding Boone's trustworthiness, and impacted his self-image. Daniel Trabue's Narrative, DM57J32-33. LCD interview with Nathan and Olive Boone, DM6S144. LCD interview with Daniel Boone Bryan, DM22C14[12]. Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore and London: The Johns Hopkins University Press, 1996). 45-53.

[64] JDS interview with John Gass, DM11CC11-15. JDS interview with Samuel Treble, DM12CC43.

[65] William Whitley's Narrative, DM9C17-60. Logan's actions are particularly impressive in demonstrating bravery, due to Whitley's assertion that the inhabitants of the station were outnumbered four to one. Despite Logan's dramatic actions however, the rescued man would later die of his wounds.

doubt benefitting from his exploits in the early Indian engagements. Many members of the traditional ranks were willing to legitimise their authority through dramatic displays of action, and in many cases were transferring this collective approval into wider social authority. As Kentucky developed it is apparent that there was more than one militia structure emerging in this social hierarchy, with contrasting notions of how far authority extended.[66]

Commissions, Command, and Consensus

The militia may have provided Kentucky with a recognisable hierarchy in the early years of settlement, but as the region developed different ideals regarding militia authority and obligations of service, would heavily influence the nature of authority, at least in the short term. The highest ranked militia commanders in Kentucky, George Rogers Clark and John Bowman, may have sought to instil a militia founded on traditional norms to legitimise rank and position, but such a reality was slow to develop. Settler defence in Kentucky was a local concern and, regardless of the ideology of Clark or Bowman, the formation of impromptu militia companies and how they were structured, would greatly impact the social hierarchy.[67] Notions of consent and consultation developed from hunting traditions and frontier concepts of manliness, combining with demonstrations of courage to limit the extent to which traditional officers could exert control through deference. With such limitations imposed other criteria needed to be utilised. Such notions of consent and consultation blurred the hierarchy further with the existence of ad-hoc 'militia' companies, usually formed in response to Indian raids. While not part of the official militia, these small bands best demonstrated the influence to charismatic collective approval in response to local needs. The combination of local defensive concerns and providing incentives to fight resulted in a greater scope for charismatic Big Men to legitimise any claims to authority and to gain a voice in discussions regarding militia strategy.[68]

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[66] William R. Nester, *The Frontier War for American Independence* (Mechanicsburg, PA: Stackpole Books, 2004). 145. Friend, *Kentucke's Frontiers*: 78-79. Neal O. Hammon and Richard Taylor, *Virginia's Western War 1775-1786* (Mechanicsburg, PA: Stackpole Books, 2002). 58-60.

[67] Perkins, *Border Life*: 138. W. Stephen McBride and Kim A. McBride, "Frontier Forts of Western Virginia: Their Role within Historical and Contemporary Landscape," *The Augusta History Bulletin* 42(2006): 15.

[68] An example of the diverging interests of traditional officers and the settler population is alluded to in a correspondence between George Rogers Clark and Patrick Henry. At times the desire of officers to conduct offensive campaigns often clashed with the need to convince settlers to volunteer, leaving their families undefended. George Rogers Clark to Patrick Henry, February 3, 1779, George Rogers Clark Papers, VHS.

In late March, 1783, John Floyd provided an assessment of the problems with legitimising authority in the region and structuring a militia command based on traditional norms. A man who perhaps best exemplified the criteria for traditional elites in Kentucky, Floyd was a notable figure by the 1780s. Standing over six feet tall with striking black hair, Floyd had achieved many of the criteria for a gentleman through a combination of ability and patronage.[69] A close friend and protégé of William Preston, by 1772 Floyd had been appointed a deputy surveyor for Botetourt County, as well as deputy sheriff for Fincastle County. From 1774 onwards he had conducted many surveys in Kentucky and returned to the region in 1779 to settle with his family.[70] A holder of numerous public offices and a man with close ties to Virginia gentlemen, Floyd had also braved many of the same hardships faced by ordinary settlers having been forced to live in a tent with his young family for ten weeks until housing was ready. However, upon being commissioned as lieutenant colonel of the Jefferson County militia in 1783, Floyd displayed his understanding of a natural hierarchy, as well as an awareness of the concessions that needed to be made in order to legitimise his position. Declaring that he 'sometimes found it absolutely necessary to descend below my station in a Command,' Floyd recognised the importance of a consensual leadership style and collective approval, but bemoaned the lack of traditional deference for a man of his standing.[71] With his experience of frontier conditions, combined with his striking features and personal charisma, Floyd may have been easier to accept as an authority figure than some contemporaries. From his letter, however, it is clear that the man held to a belief in traditional deference and that any concessions made would be temporary. Floyd was far from alone, as Benjamin Logan likewise expressed a need to adopt more consensual measures, in part due to uncertainty over the extent of a militia commander's authority. Descending below one's station to command, however, may have allowed gentlemen officers the chance to distinguish themselves from others of the same rank regardless of their rivals' backgrounds.[72]

Not all militia commanders were willing to make the concessions Floyd recognised. George Rogers Clark arguably epitomised how a militia commission could be used in order to pursue personal goals rather than the defensive needs of the settlers. Throughout the

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[69] Meredith Mason Brown, *Frontiersman: Daniel Boone and the Making of America* (Baton Rouge: Louisiana State University Press, 2008). 59.

[70] William Cabell, Jr., to William Preston, December 27, 1769, Preston Family Papers, VHS. Bond to Act as Under Sherriff for Fincastle County [John Floyd], January 5, 1773, Preston Family Papers, VHS.

[71] John Floyd to William Preston, March 28, 1783, DM17CC144-145.

[72] Benjamin Logan to [?], May 15, 1786, Benjamin Logan, 1743-1802 Miscellaneous Collection, Filson Historical Society Special Collections, Louisville, Kentucky (hereafter FHS). Rohrbough, *Trans-Appalachian Frontier*: 47. Perkins, *Border Life*: 138.

1770s and 1780s, Clark can be regarded as one of, if not the, most prominent authority figures in Kentucky. Clark had been instrumental in the downfall of Henderson's Transylvania Company, and in the process had been elected to represent the Kentucky settlers at the Virginia assembly.[73] Clark's political career was relatively short-lived, however, as his ultimate goal was not to secure the legitimacy of Virginian dominion in the region, but to remove Henderson as a rival. By removing Henderson as a legitimate authority figure, Clark hoped to dominate the hierarchy and pursue his own military agenda in the west; goals unobtainable without a prominent social role for the militia.[74] With the initial militia appointments in January, 1777 Clark acted as subordinate to Colonel John Bowman, but as Bowman spent much of the following years in Virginia, Clark was the highest ranking officer in the region and therefore the most legitimate authority figure.[75] Such a position was solidified in January, 1781 when Clark was promoted to brigadier-general in Virginia's regular army, a post further distinguishing him from the increasingly crowded officer corps of the militia.[76] As the undisputed military authority in Kentucky, Clark reflected a belief in traditional norms of deference and often acted against the defensive concerns of settlers in utilising the militia.

Offensive campaigns against the Shawnee, often conducted without the permission of the Virginian government, captured Vincennes and Detroit and made Clark a hero. His actions, however, drew manpower away from the settlements, leaving them vulnerable to attack. Clark's authority drew criticism from charismatic militia officers who recognised the local detriments of placing militia control in the hands of a regular army officer. Basing his garrison at the Falls of the Ohio, many felt Clark was drawing resources away from the most settled parts of the region. Daniel Boone expressed such concerns when petitioning the governor to allow the Bluegrass settlements to organise their own defence. Boone argued that if the militia were put 'under the Direction of Genl: Clarke, [sic] they will be Little or no Service to our Settlement, as he lies 100 miles West of us, and the Indians north East, and our men are often called to the Falls to guard them.'[77] Clark, as the most senior

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[73] George Rogers Clark to Jonathan Clark, July 6, 1775, DM1L20. Petitions from the Inhabitants of Kentucky, June 15, 1776, DM14S2. Clark, Draper, and State Historical Society of Wisconsin, *Jonathan Clark papers*.

[74] Aron, *How the West Was Lost*: 67-68.

[75] George Rogers Clark – Diary, December 25, 1776 to March 30, 1778, DM48J12. Council of War and Courts-Martial, April 26 – July 10, 1777, DM18J56.

[76] Thomas Jefferson to George Rogers Clark, January 22, 1781, DM51J18-18[2].

[77] Col. Daniel Boone to the Governor of Virginia [Patrick Henry], August 30, 1782, in, William P. Palmer, ed. *Calendar of Virginia State Papers and Other Manuscripts, from January 1, 1782, to December 31, 1784, Preserved in the Capitol at Richmond* 11 vols., vol. 3 (Richmond: James E. Goode, 1883), 275-76.

military figure in the region, clearly based his legitimacy on traditional norms and not collective approval, despite his background on the frontier. As a result his definition of authority often acted contrary to the concerns of the frontier militia. Offensive campaigns may have made him a hero in the short-term, but by ignoring the needs of settlers, Clark's authority was open to question, particularly in the deployment of manpower. Frontier militia companies preferred to operate in a more fluid style, providing a chance for local men to enhance their standing.

A fluid notion of command allowed for the possibility for frontier men to quickly establish reputations and be regarded as Big Men. Such notions of command also provide an argument suggesting that rank had little meaning when defining a hierarchy in Kentucky. That it was the commission – regardless of the rank – which was enough to legitimise someone as an authority figure. Impromptu campaigns operating as a local response to attack, displayed such consensual styles of leadership. Here, rather than a fixed hierarchy, the onus was on whichever man could take charge of the situation. During such an impromptu campaign out of Strode's Station in the 1780s, William Clinkenbeard recalled that out of approximately twelve men in the party, at least three had, or would have, officer commissions in the militia. However, Clinkenbeard asserted that 'I was captain, but we were all heads; every fellow tried his best.'[78] In such small, impromptu groups, utilising the experience of all would surely provide the greatest chance of success; rather than Clinkenbeard seeking to enforce ridged hierarchical structures. These small ad-hoc parties were the epitome of local concerns. Usually designed as retribution for Indian raids, they were an option if it was deemed there was not enough time to muster the county militia. Such bands were often remembered using the same terminology as the official militia companies, blurring the distinctions between the two.[79] Regardless, these impromptu groups offered men the chance to create reputations based on consultation, influencing how the militia operated. Such reputations could be created quickly, regardless of ethnicity or background and enhanced local standing.[80] John Holder advanced his own local standing with demonstrations of fearlessness during the siege of Boonesborough in September,

[78] JDS interview with William Clinkenbeard, DM11CC62.

[79] Such confusion between the 'official' militia companies and ad-hoc retaliation bands is evident in the reminiscences of Sarah Graham who stated that, in the 1780s the militia wore hunting shirts and moccasins, ubiquitous items of clothing for frontier males. JDS interview with Sarah Graham, DM12CC45.

[80] Henry Bedinger – Biography of George Bedinger (copy), DM1A12-17. George Michael Bedinger, Lyman Copeland Draper, and State Historical Society of Wisconsin, *George M. Bedinger papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

1778. In the defence, Holder was remembered for the insults he hurled at attackers, with John Gass recalling that 'Capt. Holder swore hard,' so much that many of the women inside the fort feared Holder's verbal assaults would only anger the Indians.[81] Holder's fearless displays certainly helped him gain a reputation based on bravery, and by the following year Holder was recognised as the commanding officer at Boonesborough. Throughout this period other candidates, regardless of background and ethnicity, were able to advance their standing through similarly fearless displays.[82]

Daniel Trabue, who had served in Kentucky as part of the Virginia regiment and would later settle in the region, recalled a Jacob Stucker and the bravery which distinguished this frontiersman. Trabue recalled an impromptu company formed to pursue an Indian raiding party in 1786. This party contained no officers and while the men chose to make camp for the night, Stucker set off alone in search of the Indian campsite. Finding the firelight of the Indian camp, Stucker returned to his companions and led them in a successful attack which gained much plunder. Stucker may have been described as a 'poore Duchman,' but through his refusal to give up and continue to pursue the Indians alone Stucker 'was soon made a captain, and he made a good officer.'[83] Herman Bowmar later described Stucker as 'the genteelest illiterate man I ever saw. Very Silent man. Distinct bravery, and eternal vigilance.'[84] Despite being a poor, illiterate 'Dutchman,' Stucker rose to the rank of captain in the Fayette militia by 1789 due to the reputation he achieved as part of ad-hoc militia companies. Militia service, however informal, gave Stucker the opportunity to advance his social standing beyond that of a poor Dutchman. In doing so, he joined other Germanic settlers in gaining some measure of authority in frontier communities by taking advantage of hunting and militia avenues. George Bedinger likewise, advanced to the officer ranks due to service in the regular army during the Revolution, while Michael Stoner was widely respected as a hunter and had been wounded in defence of the Kentucky settlements.[85] Yet, while failure to distinguish oneself through militia service could severely limit opportunities to legitimately participate in consensus decisions, the question of how to distinguish between demonstrations of dramatic action comes to the fore when legitimising a militia officer.

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[81] JDS interview with John Gass, DM11CC14. LCD interview with John Gass, DM24C73[10]-73[11].
[82] George M. Bedinger – The Defenders & Hunters of Boonesborough, 1779, DM1A69.
[83] Daniel Trabue's Narrative, DM57J124.
[84] JDS interview with Maj. Herman Bowmar, DM13CC173.
[85] JDS interview with William Clinkenbeard, DM11CC66. JDS interview with Samuel Treble, DM12CC43.

The qualities of bravery and fearlessness were understandably important in order to gain charismatic collective approval. However, within such displays of charisma distinctions can be drawn between inspirational acts of bravery which acknowledged specific situations, and dangerous foolhardiness. There are many key instances of settler defence where these distinctions can be made when defining how collective approval was achieved. Septimus Schull recalled that during this period being 'Fool-hardy was the instinct of the times,' and efforts to prove one's bravery could not only challenge the existing hierarchy, but result in dangerous consequences.[86] In the aftermath of an Indian attack on the outskirts of Harrodsburg in 1777, Captain James Harrod entered into a heated debate with Hugh McGary over what the response should be. As the ranking officer, Harrod favoured remaining within the safety of the settlement, convinced that the attack would be followed by a full assault. McGary, whose step-son had been killed in the initial ambush, demanded an immediate response, eventually threatening to shoot Harrod if the captain did not acquiesce.[87] By threatening Harrod, McGary was directly challenging the commander's ability to act in the best interests of the settlers, and therefore the legitimacy of his authority. Five years after this first instance, McGary once more challenged the militia hierarchy during the Battle of Blue Licks. In an attempt to affirm his own bravery, McGary accused many of the officers present of cowardice after Daniel Boone advised caution to John Todd, the commanding officer. After a cry of 'they that ain't cowards follow me,' McGary directly questioned the bravery of Boone and the other officers, ensuring a direct assault against an unknown Indian force.[88] In challenging the legitimacy of the hierarchy at the Blue Licks, McGary's rash actions resulted in 77 dead or captured as the militia marched into an ambush. While McGary was not solely to blame for the defeat, a distinction can be drawn when determining collective approval based on displays of bravery. For a militia officer to be held as legitimate any bravery would have to be utilised alongside an awareness of the situation. While McGary, and others such as John Wade, were brave men who lacked caution, the ability to demonstrate courage with a regard to the needs of the settlements would be much more effective in securing charismatic collective approval. James Harrod, James Estill, and Benjamin Logan were all regarded as 'brave' men 'and good officers' because they recognised when to be brave and when to

[86] JDS interview with Septimus Schull, DM11CC53.
[87] Journal of James Cowan – March 6, 1777, DM4C32.
[88] Robert Wickliffe – The Life of Col. John Todd, DM5C51[8]. JDS interview with Jacob Stevens, DM12CC134. LCD interview with Samuel Boone, DM22S265. LCD interview with Delinda Boone Craig, 1866, DM30C62. LCD interview with Rebecca Boone Lamond, DM22C35.

exercise caution.[89] However, as Kentucky developed the authority of a militia commission depended on where the service was, rather than the action required.

Just as Virginians differentiated between those volunteering for militia service and those serving in the Continental Army, similar distinctions were being made in Kentucky, particularly regarding issues of compensation.[90] For Kentucky settlers distinguishing between militia and regular army service throughout the late eighteenth century, compensation displayed the militia hierarchy acknowledging some settler attitudes. By the 1780s it is clear that the militiamen had greater scope for negotiation when required to participate in offensive campaigns, and were often given greater incentives than regular forces.[91] Regular army recruits were paid a bounty of 50 dollars for enlisting with further incentives for reenlistment, including a land grant of 100 acres when the war ended. Volunteers for George Rogers Clark's Illinois regiment received 200 acres of land and an additional 100 acres for reenlisting.[92] Clark supplied many Kentucky recruits personally for his campaigns, with recompense in land grants from the Virginia legislature. However, while these can seem favourable terms for recruits, the militia could exercise greater scope in receiving 'immediate' recompense.[93] Whereas regular army recruits were paid, in order to recruit militiamen for offensive campaigns Clark often made concessions; such as allowing the militia to fight on horseback and to claim booty/plunder. John Hanks recalled gaining five horses on a scouting expedition in 1786. These horses were then sold when the party returned to Maysville, with Hanks receiving a barrel of flour from his share.[94] As part of an expedition into the Ohio territory under Levi Todd in 1787, Spencer Records recalled capturing horses and other assorted items which could then be auctioned. Upon their return the party sold their spoils for over 365 pounds; reportedly earning each of the 170 volunteers forty-three shillings. William Whitley also recalled leading several volunteer companies whose purpose was to steal horses.[95] Dealing with the regular army on the

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[89] JDS interview with William Sudduth, DM12CC61-64. JDS interview with Josiah Collins (ii), DM12CC97-110. JDS interview with Herman Bowmar, DM13CC170-174.
[90] McDonnell, *The Politics of War*: 298.
[91] Thomas Jefferson to George Rogers Clark, February 19, 1781, DM51J21.
[92] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 10 (Richmond: J&G Cochran, 1822), 19-24, 26-27.
[93] *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 11 (Richmond: George Cochran, 1823), 326.
[94] JDS interview with John Hanks, DM12CC141-142.
[95] Spencer Records' Narrative, DM23CC41-42.

other hand, could often leave settlers reliant on Virginian credit and worthless bills of exchange, as officers sought to equip their forces.[96] Regardless of the distinctions between militia and regulars in terms of who held authority over them, it is hardly surprising that compensation was linked to official rank and a man's place on the hierarchy. Captain Samuel Scott and Colonel Robert Todd received certificates worth nearly ten times those received by the enlisted men during campaigns in 1787 and 1788. However, the forms of compensation, especially to the militia, depended greatly on the type of service they were required to do: particularly regarding their local communities.[97]

For some, greater compensation was offered for militia service compared to that received for participating in an offensive Indian campaign. In some cases the monetary compensation for guard duty on the Wilderness Road was three times higher than that received for offensive campaigns. In 1791 the county lieutenant for Mercer County, Christopher Greenup, compensated militiamen for seventeen days' guard duty on the Wilderness Road. For this term of service each man was entitled to compensation valued at £3 8s 0d.[98] One explanation as to why militia companies guarding the Wilderness Road received greater compensation may lie with the role of booty and plunder. As aforementioned, volunteers on offensive campaigns under Clark and John Bowman had the opportunity to take horses and other goods which could then be sold or traded upon return to Kentucky. Guard duty offered no such opportunity, therefore requiring further financial incentives to compensate for the loss of booty. Alternatively, guard duty on the Wilderness Road – one of the main arteries into Kentucky – can be seen as performing an essential service for the security of travellers, the Kentucky settlements, and their continued growth. Travel was a dangerous proposition, even into the 1790s, with John Williamson commanding a detachment to bury the dead along the route in March, 1793. It is therefore possible to argue that guard duty on the Wilderness Road received greater compensation as it provided a more directly valuable service to the Kentucky settlements. Both

[96] Bills of Exchange – George Rogers Clark, DM51J10. Joseph Hunter to George Rogers Clark, April 20, 1781, DM51J41. John Floyd to George Rogers Clark, April 26, 1781, DM51J44-44[2]. Benjamin Harrison to George Rogers Clark, March 24, 1782, DM51J11. Jacob Pratt to George Rogers Clark, August 4, 1782, DM52J29.

[97] Certificate of Service No.795 – Samuel Scott, August 1787, Kentucky Militia Collection, Folder 3, Kentucky Historical Society Special Collections, Frankfort, Kentucky (hereafter KHS). Certificate of Service No.809 – Colonel Robert Todd, September 10, 1788, Kentucky Militia Collection, Folder 3, KHS.

[98] Certificate of Service No.24 – Ambrose Barlow, October 23, 1791, Folder 2. Certificate of Service No.18 – Joel Crow, October 23, 1791, Folder 2. Certificate of Service No.26 – Hugh Gibbs, October 23, 1791, Folder 2. Certificate of Service No.9 – Joseph Lawrence, October 23, 1791, Folder 3. Certificate of Service No.14 – Edmund Turpin, October 23, 1791, Folder 4. All records found in: Kentucky Militia Collection, KHS.

understandings, as well as the reasons for offering compensation to the militia, display notions of legitimacy and the need for collective approval when exercising authority. Commanders, regardless of where they based claims to legitimacy, had to provide a reason for service, thereby creating an illusion of consultation as militiamen negotiated the terms of their service. This illusion of consultation would become an essential aspect to authority in Kentucky, as an abundance of commissions placed a greater importance on gaining the collective approval necessary to lead.[99]

William Clinkenbeard's impromptu militia company may have relied on consensual leadership in the 1780s, yet larger companies could display similar organisation, especially when many officers were present, regardless of rank. John Gass recalled the decision to defend Boonesborough in 1778 was left 'to the people' of the fort, insinuating that authority figures were coordinators, rather than instigators, of strategy.[100] As the region developed and the militia provided a recognisable hierarchy, the role of consensus increased. As the militia became increasingly important to Kentucky society the number of men who identified themselves as officers increased also; all expressing a legitimate claim to an input in decision making regardless of the hierarchy implied by rank. In a crowded field, militia officers needed to compete for authority with rivals and display their own credentials. Rank had to be justified by either proving one's ability, or disparaging the ability of rivals in order to justify deference and legitimise authority. An officer's rank, while providing a hierarchical structure, only made such a structure legitimate if it was accepted by the collective. Commanding officers often consulted with, or adhered to the demands of, subordinates in order for their authority to be accepted. Such competition was required regardless of whether claims to legitimacy were based on traditional norms, through the collective approval of settlers, or both. Arguably, the most notorious example of the top-heavy nature of the Kentucky militia, and demonstrations of authority, occurred during the Battle of Blue Licks in 1782. Of the 182 militiamen involved in the battle against a combined British and Shawnee force, there were 25 commissioned officers ranking from commissary to colonel. Among those present, Colonel John Todd, Major Levi Todd, and Lieutenant Colonel Stephen Trigg exemplified officers who legitimised their authority through traditional norms. The frontier Big Man, legitimising authority through charismatic principles, similarly exemplified by the presence of Daniel Boone – by now a Lieutenant

[99] William Whitley, 'Militia Pay Roll, December 24, 1793,' Muster Rolls, 1787-1862, KHS.

[100] Gass argued that putting the decision over surrender or defence in the hands of the Boonesborough settlers, was an effort by Daniel Boone to absolve himself from blame should the worst happen. JDS interview with John Gass, DM11CC11-15.

Colonel – and Major Hugh McGary. The interaction of these men would highlight the importance of the militia as an arena for social authority by the 1780s.[101]

The interaction of authority figures during the Battle of Blue Licks is frequently discussed in relation to the actions of Hugh McGary, provoking a disastrous offensive resulting in the loss of 77 dead or captured. McGary's actions, which included citing cowardice in others as a motivation for action, also highlighted the role of the charismatic Big Man within Kentucky's militia by the 1780s.[102] Big Men were now advancing beyond the rank of captain, highlighting their legitimacy as authority figures. In the Fayette Militia, Boone was second in command to John Todd, and with Todd's death at the Blue Licks would be promoted to colonel. Of Boone's contemporaries, William Whitley rose to lieutenant colonel by the 1790s through a local reputation and prior militia service stemming from the late-1770s. Whitley, a poorly educated frontiersman, retained a sizeable local reputation and would die a colonel, having built the first brick house in his community.[103] By the 1780s many men were able to use the militia as a way of demonstrating their credentials as a leader in order to gain the collective approval necessary to legitimise their authority. Much of this legitimacy rested on the recognition and affirmation of their local reputations. However, the militia would evolve further during this period, becoming one potential avenue for authority and not the main focus for community organisation. Maintaining a legitimate claim to authority would go beyond militia service by the 1790s and while the fear of Indian attack still remained, the militia hierarchy increasingly mirrored the traditional norms favoured by gentry officers. Not only would the militia become less important in identifying and solely legitimising status, it would also reflect changing notions of masculine identity in Kentucky.

Evolution of the Militia, and the Social Hierarchy

The militia continued to maintain an important role in Kentucky's social hierarchy, primarily as a means for young men to display their bravery and skill; especially with the demise of hunting by the late 1780s. However, from this point the militia would increasingly affirm an

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[101] Neal O. Hammon, *Daniel Boone and the Defeat at Blue Licks* (Minneapolis: The Boone Society, Inc., 2005). 39-40.

[102] JDS interview with Jacob Stevens, DM12CC134. LCD interview with Delinda Boone Craig, DM30C62. LCD interview with Samuel Boone, DM22S265. LCD interview with Rebecca Boone Lamond, DM22C35. Wickliffe – The Life of Col. John Todd, DM5C51[7]-51[8]. Faragher, *Daniel Boone*: 218-19. LCD interview with Nathan and Olive Boone, DM6S152-153.

[103] William Whitley was one of the defenders of Harrodsburg in 1777, and continued active service in the Kentucky militia until his death in 1813. Whitely – Muster Pay Rolls, Kentucky Militia Collection, KHS.

understanding of traditional norms as legislation more clearly defined who was eligible for service and who was exempt.[104] As the Indian threat lessened, the evolution of the militia from a voluntary service to civic obligation would help to redefine leadership and authority in Kentucky, as well as redefining notions of masculine identity. Despite the Indian threat lessening into the 1790s, the militia evolved to become an outlet for young men to affirm their masculinity and imitate their heroes. While these adolescents aspired to the masculine ideal of men such as Boone, Harrod and Whitley, they did so in an institution increasingly used as a way to reinforce understandings of order and hierarchy.[105] In a rapidly evolving social hierarchy the militia could still provide a charismatic frontiersman the opportunity to prove his Big Man credentials, recognising an inseparable link between martial service and manhood. However, such service alone was no longer enough to legitimise social standing. By the end of the eighteenth century the militia had evolved as an institution to advance traditional social norms by fostering a hierarchical understanding of masculine identity, one which assigned specific roles. Giving the militia a central role in social events, such as Fourth of July celebrations, limited the ability of Big Men to use the militia as a way to secure charismatic collective approval.[106]

The Kentucky militia played a clear social role as militia musters were the largest community gathering on the frontier. However, that musters were often timed to coincide with court days adds to the importance of these gatherings in terms of community identity, and a social hierarchy.[107] As opportunities for proving one's authority through combat receded, the organisation of community events provided an outline of wider social authority. Public gatherings and celebrations provided an opportunity to advance ideals of Jeffersonian republicanism and a natural hierarchy. The central role of the militia in these events provided a stage for prominent social figures to be seen in command. The electing of field officers and company commanders may have continued as common practice, however, it was now carried out in a more deferential tone. Elections may have given enrolled men a feeling of inclusion and consensus, but increasingly deference determined the winner for command positions. In determining the highest positions in the militia, political connections became more valuable than demonstrations of military skill. Aside from a few charismatic Big Men who had managed to advance beyond the rank of captain,

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[104] Hening, *Statutes at Large*, 11: 476-77.
[105] Laver, *Citizens More Than Soldiers*: 3-4, 99-101.
[106] Michael S. Kimmel, *Manhood in America: A Cultural History*, 2 ed. (New York: Oxford University Press, 2006). 59. Joshua S. Goldstein, *War and Gender: How Gender Shapes the War System and Vice Versa* (New York: Cambridge University Press, 2001). 9-22.
[107] Rohrbough, *Trans-Appalachian Frontier*: 34-35.

the militia was now increasingly closed as an avenue for social advancement. It now fostered wider hierarchical roles. The emphasis on commanders was on public addresses fostering the prevailing social order rather than inspiring courage. The militia of the 1790s was increasingly promoting a social structure founded on traditionally-established norms, though how collective approval was obtained would still be of great importance.[108]

While the militia was fostering hierarchy as a traditionally-established norm in Kentucky, such expressions were altered in order to gain collective approval, and therefore legitimacy. The continued importance of the militia as an avenue for collective approval was particularly apparent in its political role by the 1790s. As the largest community gathering on the frontier, the militia could prove influential in the political process through supporting candidates who were also militia officers, and as a way to express democratic principles. In November 1784, the delegates for the region's first statehood convention were chosen from among Kentucky's militia companies, and the militia would continue to play a role throughout the conventions. A letter to the *Kentucky Gazette* in September, 1788 proposed allowing militia officers to poll their troops before the next convention.[109] With a heritage of participation in the election of officers the militia did have an impact on the political framework of Kentucky, especially in challenging the authority of elites. The Bourbon County militia were especially clear in their proposals to limit the authority of the region's gentry by using the print media to state support for a unicameral legislature and ballot elections.[110] In Pennsylvania certainly, the militia allowed many men to participate in elections for the first time. The organisation of the militia in Kentucky certainly had an impact on the state's first constitution, with the introduction of universal white male suffrage, but also impacted on how collective approval was gained for political office-seekers.[111]

In forming to elect delegates to constitutional conventions, militia companies helped to advance charismatic calls for support into the political arena. In order for elites to legitimise claims to authority and secure collective approval they increasingly had to campaign and appeal to the electorate. While the militia structure may have increasingly fostered an acceptance of hierarchy, such hierarchy was secured through the realisation

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[108] Perkins, *Border Life*: 138. Laver, *Citizens More Than Soldiers*: 10, 16-18, 36-39.

[109] *Kentucky Gazette*, September 27, 1788.

[110] *Kentucky Gazette*, October 15, 1791. *Kentucky Gazette*, October 22, 1791. *Kentucky Gazette*, February 11, 1792.

[111] Steven Rosswurm, *Arms, Country, and Class: The Philadelphia Militia and "Lower Sort" During the American Revolution, 1775-1783.* (New Brunswick: Rutgers University Press, 1989). 51. Laver, *Citizens More Than Soldiers*: 72-73. The development of the political process in Kentucky, and the impact of the 1792 constitution, will be discussed further in chapter five.

that authority had to be accepted by subordinates in order to be legitimate. Establishing a feeling of consensus and participation through the involvement of the militia could be carried into the political arena as a way to legitimise authority through collective approval.[112] However, the militia could also be used to subvert the political process. Humphrey Marshall felt that James Wilkinson won election to a constitutional convention by using the militia against Marshall. Marshall claimed that he had greater public support but that General Wilkinson had disrupted the election by mustering the county militia. Wilkinson's subordinate officers 'ordered musters on the last day of the election, in such parts of the country, as were thought to be unfavourable to him.' Marshall felt that mustering the militia prevented many men from voting in the election, ensuring his defeat.[113] Whatever the validity of Marshall's charge against Wilkinson, the incident served as an example of Wilkinson's authority within the militia and demonstrated that he was able to use the militia to secure a political office. However, as Kentucky developed into the 1790s, the militia, in lessening in importance as a military force, continued to affect how collective approval was expressed in other avenues of social authority. A militia commission both provided legitimacy to an individual and provided an expression of collective approval. In terms of a wider social hierarchy such approval, and how this approval was expressed, was increasingly expressed alongside other positions of social authority and public offices to determine who could legitimately gain approval.

Combining militia commissions with other public offices in order to legitimise authority, provides an argument for the changes which had taken place in Kentucky's social organisation by the 1790s. Not only is it possible to portray the militia by this stage as largely ceremonial, but such developments also highlight the decline of the frontier Big Men who had been central to the authority network a decade earlier. Men such as Daniel Boone may have continued to be referred to by military title by those settlers who remembered them, yet few were able to maintain social prominence. Collective approval was no longer gained through demonstrations of ability and the social hierarchy was increasingly dominated by traditional figures; many of whom had taken little or no part in the region's early development. By the 1790s militia commanders increasingly came from groups who enjoyed at least moderate financial success in Kentucky, and by combining commissions with public office – for example Justice of the Peace – made their claims to

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[112] Perkins, *Border Life*: 148-49.

[113] Humphrey Marshall, *The History Of Kentucky Vol. 1: Exhibiting An Account Of The Modern Discovery, Settlement, Progressive Improvement, Civil And Military Transactions, And The Present State Of The Country* (Frankfort: S. Robinson, 1824). 242-44.

authority difficult to challenge. Militia leadership therefore contributed to legitimising a candidate's authority among his neighbours in the social hierarchy. This assessment draws attention to which militia commanders held wider public office on the eve of Kentucky's statehood.[114] Some, most notably John Floyd and John Todd, had not lived to dominate the hierarchy, but the importance of family networks and ties to Virginian elites found among the militia commanders in the early 1790s is striking. Among this group the Todd family are particularly well represented, representing traditional figures who had been active throughout Kentucky's early development and also adjusted their style of leadership as notions of legitimacy changed. In Fayette County Levi Todd not only served as the militia county lieutenant, but also as a tax commissioner and clerk of the county court. Todd had also been a trustee of Lexington since 1781 and was far from alone in combining visible public office alongside his militia commission.[115]

Upon their arrival in the region Robert Todd joined his brother in many of the civic roles administering Lexington and Fayette County. While Levi was the county lieutenant, Robert achieved a rank of brigadier general, and both brothers served as trustees for Transylvania University. In many instances the Todd brothers were joined in these positions by traditional contemporaries who also held prominent militia positions. James McDowell and Christopher Greenup were both experienced militia commanders, and transferred this authority into other roles in Fayette and other counties.[116] By following a traditional notion of authority, adding militia commissions to other offices increased the visibility of their authority, therefore legitimising their position. The importance of this visibility can be seen with the arrival of men such as Robert and James Breckinridge. While the Todds, McDowell and Greenup, had been active in gradually establishing traditional norms in Kentucky, those migrating in the 1790s were entering a hierarchy which already considered a militia commission as one – but not the key – element of authority.[117] The evolution in the social role of the militia, from providing an early organisational structure for Kentucky society to a way for traditional norms to be further entrenched, is marked by the absence from the

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[114] Laver, *Citizens More Than Soldiers*: 17-18.

[115] Fayette County Tax Assessment, 1790 (microfilm), Kentucky Department of Libraries and Archives, Frankfort, Kentucky (hereafter KDLA). "Virginia Justices of the Peace and Miliatry Officers in the District of Kentucky Prior to 1792," *Register of the Kentucky Historical Society* 25, no. 73 (1927).

[116] Fayette County Tax Assessments, 1787-1799 (microfilm), KDLA. For a more detailed discussion of the Todd family see chapter five.

[117] By the 1790s, James McDowell was a major in the 10th regiment of the Kentucky militia. By 1794, Robert Breckinridge had risen to brigadier general of the 1st brigade, having been active in the region since the 1780s. Muster Rolls, 1787-1862: Folder 1, KHS. James P. Cousins, "Lexington's 'Established Order' and the Creation of Transylvania University," *Ohio Valley History* 10, no. 4 (2010): 7, 20-25.

above discussion of many frontier Big Men who had managed to maintain their militia standing. Hugh McGary may have become a justice of the peace in Mercer County, lending credence to the view that commissions offered a visibility needed for further public office, but he would be among the minority. The absence from public office beyond the militia of two of the most significant charismatic Big Men in Kentucky's early hierarchy – Daniel Boone and Simon Kenton – is telling when viewing the changes that had taken place. In this context, arguably the most telling example of the limits of a reputation founded on frontier defence can be seen in the struggles experienced by George Bedinger.[118]

Having begun a military career as a teenager during the Revolution, Bedinger came to Kentucky under the command of John Bowman in 1779. Achieving a commission during his time in Kentucky, Bedinger also associated with a number of other individuals in land speculation and acquisition. Despite originally volunteering as a rifleman in the regular army, and therefore not having the same militia credentials as other authority figures, Bedinger did demonstrate his activity in the same economic activities relevant to elite standing. Despite his efforts to secure a position among Kentucky's social elites, problems securing land claims – among other ventures – held Bedinger back. The last years of his life were spent in yearly depositions to the Nicholas County court, providing an account of his military service defending Kentucky in an attempt to secure a war pension. Despite holding a rank of at least major, that Bedinger needed to resort to such continued lengths to prove his service history for a pension and legitimise his previous standing, demonstrates the limits of relying on a military reputation for legitimacy by the end of the eighteenth century.[119]

The role of the militia in legitimising hierarchy and authority, and as an expression of collective approval in Kentucky, was important and ever-evolving. Building on the experiences of authority and the rise of a frontier Big Man provided by the burgeoning hunting culture in the backcountry regions, the experiences and expectations of such authority began to manifest in the militia. While the experience of Dunmore's War provided an opportunity for many frontier Big Men to legitimise the collective approval of their communities with officer commissions, such experiences only allude to the growing importance of consensus to gain legitimacy on the frontier. Arguably, the example of

[118] "Virginia Justices of the Peace." Laver, *Citizens More Than Soldiers*: 17.

[119] Bedinger's war pension depositions were conducted between 1832 and 1842, when he was eventually awarded a pension. Through all of the documents it is striking at the efforts Bedinger needed to go in order to provide witnesses confirming his military service. Depositions of George Bedinger, DM1A75-122.

Dunmore's War, while allowing for the entry of some frontier figures into the officer ranks, says more about a gentry recognition of charismatic legitimacy rather than any wholesale changes in how officers were selected or the authority they could wield. While Daniel Boone and Joseph Drake became officers through the collective approval of their local communities they were never fully acknowledged by traditional officers, and rarely referred to by rank in correspondence. As settlement pushed into Kentucky, however, the role of the militia became central in early community organisation and provided criteria with which to legitimise social authority. With defensive needs paramount in Kentucky during the 1770s and 1780s, charismatic Big Men were able to use the militia as a way of challenging traditional social norms when it came to legitimising authority. With a small population base, the ability to inspire confidence and loyalty in settlers gained the collective approval necessary to legitimise charismatic authority and to advance the frontier Big Man into key positions in the frontier militia. So long as defence was the primary concern in Kentucky, the charismatic Big Man could successfully claim legitimacy out-with traditional norms solely through militia service.

The militia remained the principal, if not the sole basis for defining social hierarchy in Kentucky as long as the threat of attack remained high. As the first clear social institution it helped to organise the region, as well as providing some semblance of legal-rational criteria with which to legitimise where social roles emanated from. However, as the threat of attack subsided so too did the ability for charismatic claims to social authority based on collective approval. By statehood in 1792 the militia still maintained a role in the structure of Kentucky's hierarchy, but rather than being the central distinguisher of status it had evolved into a means of solidifying traditionally-established norms. Without the same military threat to the region, the evolution of the militia into a civil organisation helped to re-establish the understanding of an officer's commission as one of the 'pillars' of gentility and status. With a militia commission no longer enough when seeking to legitimise a claim to social authority any Big Men would need to obtain other social roles in order for their claims to be considered legitimate, in the process weakening any validity in charismatic principles. The militia did have a central and continuing importance when discussing the different concepts of authority in Kentucky. However, by the 1790s, in order to maintain legitimacy, a candidate would need to combine a militia commission with other public offices. The role of the militia in public ceremonies offered a chance for gentry officers to publicly display their authority. As the social institutions of Kentucky developed, these figures would further define the legitimacy of authority based on established norms

through their monopoly of the public offices, which conferred their legitimacy. The foundations for such monopolisation can be found in the conflicting understandings of land, ownership, and independence which would begin to permeate all other notions of deference and hierarchy.

Chapter Five

Establishing the 'Established Order': Land, Independence, and Deference on Kentucky's Political Landscape

As the previous chapter demonstrated, the militia in Kentucky had a central role in early community organisation during a period of heightened defensive concerns; as well as providing criteria to legitimise social authority in the region. However, while the militia may have helped define what legitimised authority, it evolved to reflect a traditional model of hierarchy rather than directly shaping the hierarchy. This chapter discusses what influenced the evolution of this traditional model in the wider social hierarchy and allowed for elites to legitimately assume positions of political and civil authority; an 'established order.' The role of charisma in providing a legitimate claim to authority for the frontier Big Man was increasingly absent in this context, and how legitimacy was conferred was significant. Stemming from the central reasons why people chose to settle in Kentucky, attitudes to land and landownership increasingly shaped what constituted legitimate authority in the region and defined the basis of collective approval. Through understandings of ownership and independence, traditional concepts of authority as understood by members of the gentry, began to take hold. Consequently, these understandings of deference, independence, and ownership to legitimise authority, limited the significance of charisma for the Big Man while entrenching acceptance of a patriarchal order. While Big Men could maintain a local prominence the hierarchal interactions within Kentucky involved landownership as a way of gaining collective approval to create a monopoly, legitimising positions of authority.[1]

The militia was instrumental in defending the Kentucky settlements during the periods of heightened threat, and the institution certainly provided a clear framework with which to claim authority. However, people did not travel to Kentucky in their thousands for

[1] Max Weber, *The Theory of Social and Economic Organisation*, trans. A.R. Henderson and Talcott Parsons (London: William Hodge and Company Ltd., 1947; repr., 1964). 341-58. Peter M. Blau, *Exchange and Power in Social Life* (New York: John Wiley & Sons, Inc., 1964). 211. Talcott Parsons, "Max Weber and the Contemporary Political Crisis 1: The Social Analysis of Power and Authority Structures.," in *Max Weber: Critical Assessments 2*, ed. Peter Hamilton (London and New York: Routledge, 1991), 12-14.

militia service. What drew the estimated seventy thousand settlers across the Appalachians prior to statehood was land. Moses Austin, travelling to the region in 1796, entered his discussions with travellers in his journal. 'Ask these Pilgrims what they expect when they git to Kentucky the Answer is Land. have you any. No, but I expect I can git it.'[2] For Austin, the interactions seem absurd, yet they do point to the importance that land ownership had in drawing people west and how such desires shaped the interaction between settlers. For some the migrations during the 1780s represented a turning point in the shaping of authority in Kentucky. Lowell H. Harrison, paraphrasing Temple Bodley, argued that the migrants of the 1780s were far superior to those who had come prior, and that the growth of population quickly ended the 'frontier stage.' However, that the leaders in Kentucky prior to statehood were – with a few exceptions – remarkably different from the leadership during the pioneer years, does not adequately explain what made such change legitimate or why it occurred.[3] Landholding was not only essential to understandings of personal independence during the eighteenth century, but also an important criterion in notions of gentility carried from Virginia. It is therefore understandable that among the Kentucky population the understanding of what constituted legitimate authority would undertake an increasingly traditional model. With political and civil organisation becoming more organised during the 1780s and beyond, Kentucky elites would use their position as landholders to legitimise a monopoly of such positions based on their experience of patriarchal structures. The collective approval to legitimise authority would therefore concern the relationship between elite landholders and their use of dependents in the form of slaves and tenants, and pioneers who had gained the necessary landholding to claim personal independence, and with it an interest in decision-making. These contests for collective approval and how it was expressed, would increasingly determine the social hierarchy of Kentucky, compared to the collective approval based on demonstrations of skill and ability.[4]

Landholding, Dependents, and 'Homesteaders'

Chapter two showed how surveying was a route to financial prosperity, and the accompanying potential for increased status contributed to an increasingly stratified

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[2] Moses Austin's Journal, 1796 (excerpt), in, Ellen Eslinger, ed. *Running Mad for Kentucky: Frontier Travel Accounts* (Lexington: The University Press of Kentucky, 2004), 179.

[3] Hazel Dicken-Garcia, *To Western Woods: The Breckinridge Family Moves to Kentucky in 1793* (Rutherford, N.J.: Fairleigh Dickinson University Press, 1991). 17. Lowell H. Harrison, *Kentucky's Road to Statehood* (Lexington: The University Press of Kentucky, 1992). 8-9.

[4] For a full discussion of the traditional norms defined in Virginian society see chapter one.

society as Kentucky developed. The speculative efforts of many settlers contributed to this stratification, and impacted the distribution of land. Yet a difference in how the land was used also becomes apparent. However, using landholding and speculation as a barometer for future social standing in Kentucky simplifies the dynamics. The majority of Kentucky settlers sought to speculate at some stage, whether to build vast landholdings, retain enough for an inheritance for future generations, or as currency to fund the development of a farmstead. Attempting to define a member of the elite during this period solely on the basis of landholding is therefore difficult. A more accurate approach would be to define how such speculation combined with attitudes towards landholding and the dream of obtaining Kentucky land versus the realities. Many may have expected that settlement entitled them to free land, yet under the land laws of 1779 certificates were provided only to those settling prior to 1778; a small number of the total population.[5] By the end of the eighteenth century Kentucky's land distribution was among the most unequal in the United States, with over half of the male population in the Bluegrass counties owning no land, and one-third in the Green River region.[6] The land distribution therefore, offers an insight into understanding the relationships between the landed and the landless in Kentucky. In a region with pronounced disparity in land distribution, the relationship between landholders and the landless can define how the collective approval needed to legitimise authority was achieved during this period.

An examination of the 'homestead ethic' among settlers provides an insight into the relationship between landholders and the landless in Kentucky with regard to speculation and economic development. This homestead ethic, articulated by Richard Maxwell Brown to define backcountry opposition to absentee landowners, has been adopted by Stephen Aron to distinguish settlers from eastern speculators and their land agents. However, in utilising the concept Aron has overlooked the reality that homesteading and speculation were not mutually exclusive, and has argued that disputes over landholding can explain the opposition of poorer settlers to elite social authority.[7] A

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[5] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 10 (Richmond: J&G Cochran, 1822), 431. Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore and London: The Johns Hopkins University Press, 1996). 201-07.

[6] Lee Soltow, "Kentucky Wealth at the End of the Eighteenth Century," *The Journal of Economic History* 43, no. 3 (1983): 620-21.

[7] Richard Maxwell Brown, "Backcountry Rebellions and the Homestead Ethic in America, 1740-1799," in *Tradition, Conflict, and Modernization: Perspectives on the American Revolution*, ed. Richard Maxwell Brown and Don E. Fehrenbacher (New York: Academia Press, 1977), 76-81.

more accurate approach would be to view that in challenging the rights of elite speculators to accumulate vast acreage, non-elites challenged the legitimacy of the legislation relating to land and landholding and not the practice of speculation itself. Such social challenges were not distinct to Kentucky in the eighteenth century, with tensions between backcountry residents and 'absentee' landowners manifesting in organised resistance in many regions. In Maine, such resistance to elite land policies was characterised by an organisation known as the 'Liberty Men.' In the Carolinas and Georgia, the Regulator movements of the 1760s contained similar grievances.[8] Such distinctions regarding landownership, and the use of land to legitimise authority, result in the charismatic authority of the frontier Big Man becoming less of a factor, especially when the basis of a frontiersman's legitimacy rested on a legacy of hunting and militia service. In Kentucky, while there were major differences between 'homesteaders' and elites from the beginning of settlement, similarities also existed, making the social tensions distinct from other backcountry regions.[9]

Clashes over the understanding of what land ownership entailed for different groups existed from the beginning of Kentucky settlement. John Floyd corresponded frequently with his friend and benefactor William Preston, concerning such differences. Floyd frequently complained about the actions of 'jobbers' building cabins on claimed lands yet to be surveyed, and 'outliers' entering vast acreage in their own name but for absentee

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Stephen Aron, "Pioneers and Profiteers: Land Speculation and the Homestead Ethic in Frontier Kentucky," *The Western Historical Quarterly* 23, no. 2 (1992). James P. Cousins, "Lexington's 'Established Order' and the Creation of Transylvania University," *Ohio Valley History* 10, no. 4 (2010): 4-5. Paul W. Gates, "Tenants of the Log Cabin," *The Mississippi Valley Historical Review* 49, no. 1 (1962).

[8] Alan Taylor defined the conflict between backcountry residents on the Maine frontier through the organisations of the 'Liberty Men' and 'Great Proprietors.' There have been many works describing the growth of 'Regulator' resistance throughout the southern backcountry. Issues regarding landownership are particularly appropriate to the North Carolina Regulator movement, where the focus of grievances over land policy fell on backcountry lawyers and judges, such as Richard Henderson. In the view of the Regulators, these local elites were regarded as middle-men for absentee speculators, controlling the land market and making it harder for settlers to secure claims. John Mack Faragher, *Daniel Boone: The Life and Legend of an American Pioneer* (New York: Henry Holt and Company, 1992). 73. Alan Taylor, *Liberty Men and Great Proprietors: The Revolutionary Settlement on the Maine Frontier, 1760-1820* (Chapel Hill and London: The University of North Carolina Press, 1990). Ronald Hoffman, Thad W. Tate, and Peter J. Albert, eds., *An Uncivil War: The Southern Backcountry during the American Revolution* (Charlottesville: The University Press of Virginia, 1985). Peter N. Moore, *World of Toil and Strife: Community Transformation in Backcountry South Carolina, 1750-1805* (Columbia: The University of South Carolina Press, 2007). James P. Whittenburg, "Planters, Merchants, and Lawyers: Social Change and the Origins of the North Carolina Regulation," *The William and Mary Quarterly* 34, no. 2 (1977). Rachel N. Klein, *Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808* (Chapel Hill and London: University of North Carolina Press, 1990).

[9] Taylor, *Liberty Men*: 7.

parties. Such exasperation is present in a series of letters written by Floyd in 1775 and 1776, alluding to the clash of ideologies between elites and homesteaders, and challenges to the legal-rational basis of Virginian hegemony. The actions of 'land jobbers' from Pittsburgh, in the eyes of Floyd were hampering the development of settlement north of the Kentucky River. These 'jobbers' would 'go about in companies & build 40 or 50 cabins a piece on the land where no surveying has yet been done.'[10] In doing so, 'jobbers' and 'outliers' would have hoped to either gain a pre-emption claim or be compensated for their improvements; in building a cabin or planting corn, they could have resold the land for an inflated price. In either case, the actions of these 'jobbers' and 'outliers' challenged the legitimacy of the official warrant holders and subverted the authority of the Virginia legislature to determine legitimate landholders in Kentucky. It is somewhat ironic that Floyd would be among those complaining about the actions of the 'jobbers' and 'outliers' as he was performing a similar role for William Preston; locating and surveying lands for a third party. However, despite the double standard, the reaction that many elites had towards squatters alludes to a pragmatic realisation regarding the extent of their authority, and an awareness of the opportunities to best shape the development of the landscape.

While conducting surveys on behalf of William Preston and his nephews, Floyd came across settlers whose interpretations of what constituted legitimate ownership did not necessarily include the presence of a Virginian land warrant.[11] Claiming ownership on the grounds of occupation, Robert Elliot settled on one of Preston's claims and made it clear he did 'not intend to give up his possession till obliged by law.' William Beard, another squatter Floyd encountered, was much more conciliatory. Beard had made considerable improvements to the land, which included building a cabin and clearing a field. Upon being shown the survey and claim by Floyd, Beard agreed to give up his occupancy provided he was compensated for the improvements made.[12] The actions of a squatter, such as Beard, would have also helped Floyd to provide better security against future squatters. The

[10] John Floyd to William Preston, September 1, 1775, Draper Manuscript Collection 33S282-285 (hereafter DM). Lyman Copeland Draper and State Historical Society of Wisconsin, *Draper's notes*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

[11] A belief in ownership of a farm through a 'right of occupancy,' had precedent in Virginian law from the early 1700s and Thomas Jefferson expressed such sentiments in the 1770s. However, for Kentucky, such a right only applied to those settling in the region prior to 1778. William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 3 (Philadelphia: Thomas DeSilver, 1823), 204-07, 313. Thomas Jefferson, *Notes on the State of Virginia. With an Appendix* (Boston: David Carlisle, 1801). 200-02.

[12] John Floyd to William Preston, October 6, 1775, DM33S285-288.

presence of visible improvements on the landscape would have dissuaded other parties from attempting to settle the claim.[13] Yet, while such individuals may have disrupted the actions of speculators – elite or otherwise – they also provided potential sources of income and labour as tenants. Poor settlers may have ventured west with visions of free land, but contrary to the dream, leasing and tenancy was the norm from the beginning. Frontier stations were often named after their founders and dominant landowners, and following precedent from the Shenandoah Valley, many with substantial land claims used leasing as an encouragement for further settlement. One Kentucky resident explained to John Dabney Shane that 'wherever a man could get a number of families to go with him, he went out and leased the ground for so many years to get them to help clear… Todd's, Craig's, and Bowman's [stations] were settled in this way.'[14] Citing the Indian threat, John Hedge described leasing as the norm for poorer migrants as '[m]ost of the people when I came were on leased lands, till times became more safe.' The tenants would 'take a lease for five years, clear as much as they pleased, and enjoy the range till it was gone, and then move.'[15] Leasing therefore offered an incentive for poorer families to migrate to Kentucky. For the landholders leasing encouraged settlement, improved lands quickly, increased the value of the land and provided agricultural income.[16]

With differences over what constituted legitimate ownership in Kentucky, and a Virginian land system which favoured early settlers, tenancy could appear as a prudent strategy for all involved. Tenancy offered settlers who had missed out on settlement and pre-emption certificates an opportunity to accumulate capital. For the landholder the benefits included having someone else undertake the arduous task of cultivating the land. This prudent understanding of tenancy was not without precedent on the frontier, as Scots-Irish emigrants to the Pennsylvania backcountry saw no social stigma in tenancy as a means of accumulating capital due to a familiarity with the practice in Ulster. There is an additional argument to suggest that even settlers with adequate capital for land purchases would benefit from some time acclimatising through tenancy.[17] A need for tenant labour, especially in the early decades of settlement, would have provided many landless migrants

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[13] Aron, "Pioneers and Profiteers," 181.

[14] John Dabney Shane interview with Wymore, DM11CC130 (hereafter JDS). Draper and State Historical Society of Wisconsin, *Kentucky papers*.

[15] JDS interview with John Hedge, DM11CC19-21.

[16] Elizabeth A. Perkins, *Border Life: Experience and Memory in the Revolutionary Ohio Valley* (Chapel Hill: The University of North Carolina Press, 1998). 123.

[17] Ibid., 125-27. Kenneth W. Keller, "What is Distinctive about the Scotch-Irish?," in *Appalachian Frontiers: Settlement, Society, and Development in the Preindustrial Era*, ed. Robert D. Mitchell (Lexington: University Press of Kentucky, 1991), 78.

with a strong bargaining position when dealing with elite landholders. Labour commanded comparatively high wages in Kentucky during this period, and potential tenants could negotiate leases which involved a number of years without rent in exchange for improvements such as building a cabin. As long as there remained a significant Indian threat towards the settlements, and a supposed abundance of land, landholders could not afford to alienate potential tenants with inequitable leases. Much like the role men could have in negotiating their militia service and the election of their officers, potential tenants could negotiate the distribution of resources in an uncertain environment. In such a landscape, the outnumbered gentry could not afford to alienate the masses and lose the collective approval for their authority.

William Christian exemplified the levels of negotiation required with tenants in order to legitimise his claims to authority as a landholder.[18] Securing a patent to 1,000 acres on Bullitt's Lick, Christian set about developing a salt works. Confident of ownership based on the earliest claim – the tract had been surveyed for Christian in 1774 and the patent issued in 1779 – as well as his connections to prominent Virginians, Christian was in a strong position as a landholder. However, despite his connections Christian's position as a landholder was plagued by issues in finding tenants needed to improve the land.[19] The location of the salt works was in an area of Kentucky exposed to Indian attack during much of the 1780s; as a result, attracting and keeping reliable tenants proved difficult and the indentures offered reflected the potential difficulties.[20] Tenancy indentures were explicit in what was expected of the tenant, including the amount of land needed to be cleared and the agreed rents, with specific restrictions on the unnecessary wasting of timber – although the last provision arguably had more to do with areas of the tracts where title could be disputed. The tenant, likewise, was able to define what they expected from the landlord, such as access to tools for the development of the land. However, the development of the salt works was hampered by tenants violating their agreed indentures. Violations included delays, and often refusal, in paying rents and tenants selling the rented tools.[21] Such

[18] Harrison, *Kentucky's Road to Statehood*: 22.

[19] William Christian can be regarded as a member of Kentucky's elite during the 1780s, in part due to his connections to Virginian gentry. He was a brother-in-law of William Fleming, Stephen Trigg, and Patrick Henry. Upon Christian's death, Henry was one of the executors of his estate and negotiated tenancy agreements for Bullitt's Lick. William Christian to Elizabeth Christian, September 25, 1784, Hugh Blair Grigsby Collection: Christian and Fleming Family Papers, Section 129: Folder 2, Virginia Historical Society Special Collections, Richmond, Virginia (hereafter VHS).

[20] William Christian to Elizabeth Christian, March 30, 1786, Christian and Fleming Family Papers, Section 129: Folder 2, VHS.

[21] Robert Daniel to William Christian, October 27, 1784, Robert Emmett McDowell Collection 1774-1869, Volume 1: Bullitt's Lick Papers, Filson Historical Society Special Collections, Louisville, Kentucky

resistance demonstrates the strong position many tenants may have felt they were in. However, while Christian did encounter difficulties with tenants and needed to make concessions, the role of tenancy gave landowners legitimacy when it came to exerting authority over others. By agreeing to improve their lands, tenants allowed elites to equate such agreements with a traditional, patriarchal, understanding of authority.[22]

By the end of the eighteenth century the unequal land distribution in Kentucky created a situation in which an understanding of independence as an expression of masculinity came under scrutiny. In 1799 Henry Clay guessed the proportion of free males who owned their own land at 30 per cent. Of some 34,000 white males over 21 in the federal census of 1800, only 15,167 were landowners. Of this number, only 107 owned over 10,000 acres of land. The level of landlessness – factoring the variations between the Bluegrass and Green River regions – provides further support for tenancy as a viable way to build capital and the potential for future landholding. However, such an option restricted a claim of independence and could question an individual's legitimacy within the social hierarchy. Leasing may have been an established option for those without land, yet becoming a tenant to a landholder necessitated relinquishing an aspect of eighteenth century independence, landownership. At the same time, the dependant state of a tenant would have also increased a landholder's claim to traditional authority founded on deference and patriarchy.[23]

The earliest years of settlement saw a relatively fluid social hierarchy in terms of the men assuming positions of authority. The apparent abundance of land made establishing a legitimate claim based on the level of landholding unsuitable or unreliable. By the end of the 1780s however, hierarchy was becoming more structured, as seen in the evolution of the command structure of the militia, and landholding was once again becoming a way to define legitimate claims to authority. Reasserting Virginian interpretations of masculine identity and authority continued an understanding of landownership equating to independence and citizenship. Yet the traditional, patriarchal Virginian understanding, not only valued personal independence, but also the number of dependents over whom a man exercised authority. Exercising patriarchal authority over members of his own household was possible for a tenant farmer, but any role in the wider

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(hereafter FHS). Moses Moore Tenancy Indenture, April 11, 1793, McDowell Collection, Volume 3: Bullitt's Lick Papers, FHS.

[22] Gail S. Terry, "Family Empires: A Frontier Elite in Virginia and Kentucky, 1740-1815" (PhD Thesis, The College of William and Mary, 1992), 16.

[23] Soltow, "Kentucky Wealth," 617-22. In his analysis Soltow described anyone with more than 10,000 acres as a 'great landholder.'

social hierarchy would be limited due to his dependence upon a landowner. With tenancy large landowners were able to extend a claim to authority over the landless and differentiate themselves from smaller freeholders in Kentucky, both economically and socially. In improving lands, increasing productivity, and legitimising authority through traditional means and collective approval, elite landholders could utilise dependants in a way a smaller freeholder could not.[24]

Those with land claims in Kentucky were effectively pursuing two variants of independence. Despite the landlessness characterising Kentucky into the 1790s and beyond, many of those who dreamed of acquiring land pursued an understanding of independence equated to a freedom to determine their own economic production. The level of land needed to achieve this form of independence and provide an inheritance is open to interpretation, and can partly explain why speculation was so prevalent in Kentucky. By the late eighteenth century, Virginian tradition regarded the minimum average of a typical homestead at 400 acres, a significant figure considering elites could be defined as needing a minimum of 500 acres plus slaves, during a similar period.[25] Yet, with a belief in the apparently limitless supply of fertile land in Kentucky, who wanted to settle for the traditional homestead? Settler William Hickman may have felt that, based on reported yields, 10 acres would be enough to provide subsistence and benefit his children, but such restraint would have been rare.[26] The desire to attain and cultivate as much land as possible discredits any notion of frontier self-sufficiency, and highlights the limits that speculation could have as a way of increasing social standing and wealth. Elite notions of independence, best exemplified by Virginian traditions, did not equate to subsistence and the freedom to control one's own labour. Rather, elite understandings emphasised an increase of wealth and a freedom *from* labour. An essential component of this freedom was the role slavery played in furthering deferential authority. Consequently, regardless of

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[24] Rhys Isaac, *The Transformation of Virginia, 1740-1790* (New York: W.W. Norton, 1988). 39, 43, 132. Jack P. Greene, *Pursuits of Happiness: The Social Development of Early Modern British Colonies and the Formation of American Culture* (Chapel Hill: The University of North Carolina Press, 1988). 92.

[25] Joseph Doddridge, *Notes on the Settlement and Indian Wars of the Western parts of Virginia and Pennsylvania, 1763-1783* (Wellsburg, VA:1824). 84. Frederick Jackson Turner, "Social Forces in American History," in *The Frontier in American History*, ed. Frederick Jackson Turner (New York: Henry Holt and Company, 1920), 320.

[26] William Hickman, *A Short Account of My Life and Travels. For more than fifty years; A Professed Servant of Jesus Christ* (Louisville:1828). 5.

the extent of acreage a yeoman farmer could obtain, any claim to authority based on landholding would have also needed the existence of a dependent labour force.[27]

While tenancy gave landowners a form of dependent labour, elite landlords had the option of utilising slave labour as an alternate dependent labour force. By the 1790s the use of slavery allowed many elites to avoid the hardships of frontier life, and create elite estates to further legitimise gentry claims to status. Slave ownership may have been one of the markers of gentility under Virginian tradition, and the institution's role in Kentucky strengthened the authority claims of elite figures migrating after the hardships of the 1780s. John Floyd and William Christian may have been among the first elite figures to establish Kentucky plantations during the first decade of settlement, but unlike other settlers the arduous task of clearing the land and establishing plantations was undertaken by their slaves.[28] Floyd, Christian, and their families certainly endured many hardships in Kentucky, but such hardships did not have the duration of their less-wealthy counterparts. Slave labour allowed for dwellings to be built and fields planted in a much shorter period. While slave ownership was by no means limited to elites in Kentucky, their use of the institution helped to create a stratified hierarchy during the late eighteenth century. Such a view is supported by a sample of Fayette County's tax assessments from 1787. These records show that there were 1,485 taxable males in the county during 1787, and 2,039 slaves. The mean slave ownership for the county was therefore 1.37 per household. However, while this figure suggests that slave ownership was prevalent among Fayette households, a closer look reveals that only one-quarter of adult men were slaveholders, and few of this group owned more than this mean of 5.4 slaves per household.[29] By the 1790s, Jesse Kennedy recalled settlers leaving slaves on land to begin improvements, as well as to show that the land was occupied, though based on the Fayette County example the majority of settlers would have been unable to take advantage of this.[30] Wealthy settlers, however, could use their slaves in a more calculated way as they planned their migration and settlement in Kentucky. No family better encapsulates the use of slavery in

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[27] Isaac, *Transformation of Virginia*: 43, 98. Craig Thompson Friend, "Inheriting Eden: The Creation of Society and Community in Early Kentucky, 1792-1812" (PhD Thesis, University of Kentucky, 1995), 127, 38-39, 40.

[28] John Floyd to William Preston, November 26, 1779, DM33S315-316. John Floyd to William Preston, February 20, 1780, DM33S317-318. William Christian to Elizabeth Christian, December 12, 1785, Christian and Fleming Family Papers, Section 130: Folder 1, VHS.

[29] Fayette County Tax Assessment, 1787 (microfilm), Kentucky Department of Libraries and Archives, Frankfort, Kentucky (hereafter KDLA).

[30] JDS interview with Jesse Kennedy, DM11CC9-10.

avoiding frontier hardships, and enabling a late migration, than the Breckinridge family during the 1790s.[31]

The migration of the Breckinridge family during the 1790s has been viewed as representative of the rise of elite culture in the region, and the advantage elites held in legitimising authority. With family connections to William Preston, the Breckinridge family were among the highest echelons of Valley elites in Virginia, and by the 1780s began investing in Kentucky lands.[32] The elder half-brothers, Alexander and Robert, had been active in Kentucky as surveyors and speculators since 1783, in Jefferson County and the Military District respectively. The brothers were joined in surveying positions by William and James as the 1780s progressed.[33] However, John Breckinridge delayed his migration and clearly set out plans to improve his lands prior to the journey west. In order to achieve this Breckinridge planned to send a number of slaves to 'season' them in the new country. This 'seasoning' would include hiring the slaves out as a labour source, and begin improvements to a plantation. In March 1792, Breckinridge informed his mother of his intention to send '20 Negroes' in advance of his family, an action which further demonstrated the abilities of elite settlers to avoid many of the hardships associated with frontier settlement.[34] Utilising slaves may have allowed elites to avoid the hardships of establishing a plantation on the frontier, but the decision to send dependents west did fill some with trepidation. In the 'dark and bloody ground' of the 1780s, Thomas Hart, an investor in the Transylvania Company, questioned the morality of sending a 'parcel of poor slaves where I dare not go myself.'[35] However, any trepidation from elites about introducing their slaves to the frontier would have been balanced with cost. The economic role of slavery, and the institution as an expression of elite patriarchy, had an impact on the structure of hierarchy in Kentucky, particularly in the classification of tenants and their power as a labour force. Tenants potentially had a great deal of bargaining power in regards to negotiating leases, whereas slaves lacked this agency and existed as a visible expression of an elite's patriarchal standing. However, there were areas of land

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[31] Patricia Watlington, *The Partisan Spirit: Kentucky Politics, 1779-1792* (New York: Atheneum, 1972). 36.

[32] Dicken-Garcia, *To Western Woods*: 90.

[33] B.R. Salyer, "Early Kentucky Surveyors and Deputy Surveyors," *Kentucky Secretary of State, Land Office, Journal, Articles*, http://sos.ky.gov/land/journal/articles/earlysurveyors.htm.

[34] John Breckinridge to Letitia Breckinridge, March 18, 1792, Breckinridge Family Papers: Box 8, Library of Congress Manuscript Division, Washington, D.C. (hereafter LOC). Some slaveholders felt that Kentucky did not possess the healthiest environment for 'Negroes,' and sending them out early would help them acclimatise to the conditions. William Breckinridge to Letitia Breckinridge, May 23, 1795, Breckinridge Family Papers: Box 12, LOC.

[35] Thomas Hart to Nathaniel Hart, August 3, 1780, in, Aron, *How the West Was Lost*: 91, 241.

development where slaves impacted a tenant's ability to negotiate service, in effect increasing the potential for dependence. Such areas of competition have been cited as evidence for the existence of an antislavery sentiment in Kentucky by the 1790s. By introducing a dependent labour force into Kentucky, elite landholders limited the negotiating power of tenants, thereby increasing the legitimacy of their authority based on the number of dependents under their control.[36]

Todd Barnhart has argued that a growing resentment towards slavery in Kentucky prior to 1792 was the result of a lack of intensive labour requirements in the region, and a drift away from the Virginian plantation economy. However, the lack of an intensive plantation economy introduces another dimension in understanding the role of slaves as a factor to demonstrate authority on traditional grounds. Kentucky was cash poor but manpower was in demand. The role of slavery in this context subverted the labour division between slaves and poor whites, further eroding notions of independence and manhood among the landless. Rather than the development of landholdings, slavery became a cheaper labour force for those looking to develop manufacturing.[37] By utilising slaves, landholders avoided paying wages to white workers at manufacturing sites and obtained 'free' labour from tenant farmers. Such an approach helped William Christian make his salt works at Saltsburg profitable by the mid-1780s, while still ensuring that his lands were under development. This inversion of labour made economic sense for the landed elite slaveholders and such a practice also served to assert a greater sense of patriarchal authority.[38] When compared to slaves, tenants can also be regarded as a dependent class – providing landholders with the aforementioned form of dependant labour. By agreeing to a tenancy, regardless of the agency they may have had in negotiating contracts, landless whites effectively became dependents of elite landholders; thereby legitimising any claims such landholders maintained to wider social authority on traditional grounds. The role of slaves in legitimising a claim to authority and providing a buttress to elites in Kentucky can also be extended to poor whites who could not secure a tenancy. As wage-labourers, such men competed in a labour market with slaves. Such was the demand for labour, that poor whites and slaves often ended up working side-by-side in the salt works and iron mines

[36] John Breckinridge to Letitia Breckinridge, March 28, 1792, Breckinridge Family Papers: Box 8, LOC. Fredrika Johanna Teute, "Land, Liberty, and Labour In the Post-Revolutionary Era: Kentucky as the Promised Land" (PhD Thesis, Johns Hopkins University, 1988), 194-96, 207-12. Todd H. Barnett, "Virginians Moving West: The Early Evolution of Slavery in the Bluegrass," *The Filson Club History Quarterly* 73, no. 3 (1999): 224.

[37] Teute, "Land, Liberty, and Labour," 195-96. Barnett, "Virginians Moving West," 224.

[38] William Christian to Elizabeth Christian, December 12, 1785, Christian and Fleming Family Papers, Section 130: Folder 2, VHS.

landowners sought to develop. While such employment preserved distinctions between free and slave labour, in terms of work and living conditions such mixing presents an argument which reaffirms notions of dependency. By furthering slavery in Kentucky, elite landowners asserted legitimacy for authority based on traditional principles of land and slave ownership. In furthering traditional definitions of authority, elites strengthened their legitimacy by extending an acceptance of dependent labour to those without the necessary criteria to claim independence.[39]

The practice of 'hiring out' not only provided a way for slaveholders to 'season' their property, but it further buttressed claims to legitimacy based on traditional criteria carried from Virginia. Hiring slaves out to non-slaveholders made financial sense as slave labour was ultimately cheaper than paying white workers, particularly in manufactories. Yet 'hiring out' goes further than economic benefits. Employers found long-term contracts with slaveholders beneficial, and were a more secure investment than white labourers. By supplying slaves to those needing a labour force, the elite slaveholder was effectively creating a sense of dependency and obligation and with it a form of collective approval for gentry authority. Beyond this, elites also fostered a familiarity with the institution as a criterion for elite standing and an acceptance for traditional notions of status and authority.[40] Temple Bodley may have felt that the settlers arriving in Kentucky during the 1780s were of a better quality, but gentlemen migrated with their slaves, carrying with them a system which equated slave ownership with status and authority. William Christian migrated with his slaves, placing them at his salt works; in addition to this, Christian hired out his mother's slaves and invested in the purchase of more slaves with the income.[41] John Breckinridge also advised his brother to 'purchase all the negroes you possibly can' as an investment for his migration.[42] It is therefore possible to argue that those with the largest slaveholdings in Kentucky by statehood, more than likely had large holdings prior to their migration; that the slave system was the result of an increase in wealthy Virginian migrants, and not an increase in slaveholding across society. The practice of 'hiring out,' while

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[39] Teute, "Land, Liberty, and Labour," 209-10. Stephen Aron, "'The Poor Men to Starve': The Lives and Times of Workingmen in Early Lexington," in *The Buzzel About Kentuck: Settling the Promised Land*, ed. Craig Thompson Friend (Lexington: The University Press of Kentucky, 1999), 176, 84.

[40] Teute, "Land, Liberty, and Labour," 209-10. Isaac, *Transformation of Virginia*: 56. Warren R. Hofstra, *The Planting of New Virginia: Settlement and Landscape in the Shenandoah Valley* (Baltimore: The Johns Hopkins University Press, 2004). 276-78.

[41] William Christian to Thomas Madison, August 6, 1784, DM5ZZ78-78[2]. Draper and State Historical Society of Wisconsin, *Virginia papers*.

[42] John Breckinridge to William Breckinridge, September 10, 1797, Breckinridge Family Papers, Samuel Wilson Vertical File, University of Kentucky Special Collections, Lexington, Kentucky (hereafter UKSC).

creating some anti-slavery sentiment as a result of economic competition, encouraged a familiarity with slavery across the social spectrum. Not only did such a practice give many non-slaveholders a stake in the system, but as elites benefitted economically they created visible symbols equating social status with slave ownership. In such a system, not only were tenants dependent on elites for land, but small farmers could also become dependent on the elites in supplying supplemental labour. By increasing a sense of dependency elite landowners fostered a sense of obligation, legitimising a claim to wider social authority. Alternatively, the hiring of a slave could also distinguish a small farmer from others on the social ladder.[43]

The acceptance of slavery expressed through 'hiring out,' and with it the acceptance of slave-owning as a criteria of authority, can be seen in the non-slaveholders who participated in the system and justified their reasons for doing so. Such acceptance of the implications slavery had on social standing can be found among the family of Daniel Drake. Drake's father was an ardent abolitionist who 'never purchased a slave,' as 'he was so opposed to slavery that he would not have accepted the best negro in Kentucky as a gift…' However, on occasion Drake senior was not averse to hiring slaves from neighbouring planters when the family labour was insufficient. Drake attempted to justify his father's apparent hypocrisy by stating that the hired slaves were always given 'something… in return for their service,' arguing that they were effectively paid labourers rather than rented property.[44] However, the experience of the Drake family shows how dependent small farmers could be on their wealthy neighbours; in this context rented slaves replaced the extension of credit. In terms of defining status however, the experience of Drake's family also offers an interpretation of how the ownership, or renting, of some slaves distinguished independent landholders from tenants and poor whites. Under such a system, participating was only legitimate for those with at least a modicum of personal independence. Many charismatic frontiersmen pursued slave ownership, recognising its importance as a signifier of status. For example, Daniel Boone owned a number of slaves by

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[43] Teute, "Land, Liberty, and Labour," 195-96, 254. The competition slaves embodied in the labour market can lead to arguments surrounding the growth of anti-slavery sentiments as the region developed. There is an argument to suggest that the passage of the Northwest Ordinance, and the provisions for outlawing slavery north of the Ohio River, lured the most fervent abolitionists out of Kentucky. Joining them were many landless whites unwilling to compete with slaves in the labour market. Aron, *How the West Was Lost*: 100. Peter S. Onuf, *Statehood and Union: A History of the Northwest Ordinance* (Bloomington: Indiana University Press, 1992).

[44] Charles D. Drake, ed. *Pioneer Life in Kentucky. A Series of Reminiscential Letters from Daniel Drake M.D., of Cincinnati, to His Children* (Cincinnati: Robert Clarke & Co, 1870), 90.

the late 1780s.[45] Ownership only became an issue when the owner did not appear worthy of such property; he could not legitimately claim the authority the property signified. Daniel Drake's recollections of a settler named Hickman reveal this limitation. Hickman was a tenant of Drake's father, yet appeared to have taken none of the responsibilities of a tenant on himself. The cabin Hickman and his family lived in was raised by Drake's father and the task of clearing the land was left up to others. Despite being described as 'very poor,' Hickman 'owned a negro man in middle life, and a woman rather old,' who undertook the labour as Hickman utilised the whip. It was Hickman's treatment of the old woman which particularly riled Drake as, 'she had been his nurse in infancy… and her screams would reach our ears at a distance of more than three hundred yards.' Drake regarded this man as the cruellest master in the neighbourhood, and was 'greatly delighted' when Hickman left the region.[46]

Regardless of the Drake family's attitude towards slavery and of Daniel Drake's dislike of his father's tenant, the existence of both institutions in Kentucky helps to construct an acceptance of traditional gentry norms as a basis for independence as a man, and with it a claim to authority. As essential aspects for personal independence among the Virginian gentry, landownership and slaves provided legitimacy to social standing based on expressions of patriarchy and deference. In Kentucky, the acceptance of such a system expressed through the hiring of slave labour, provided the landed elites with authority over those who relied on their slaves for affordable labour. While there were conflicting beliefs over the use of land in the region, tenancy helped to foster a form of dependence among those who either did not have land of their own – and lacked such a way to display independence – or could not afford the extensive legal process to challenge property ownership. For those small farmers and manufactory owners who could display such independence, the hiring of slaves could also be understood as a way of differentiating themselves from landless contemporaries. While the practice can be understood as a form of dependence, the acquisition of slaves gave such settlers a modicum of patriarchy over others; albeit temporary. The acceptance of such systems, however, created among poorer settlers a form of dependence on the landed elite. Gentry claims to authority can be seen as legitimate, as by accepting independence through landholding and the ownership of slaves the settlers in Kentucky were providing the collective approval for those who had fulfilled such criteria. This acceptance of traditional authority as an established norm can be

[45] Craig Thompson Friend, *Along The Maysville Road: The Early Republic in the Trans-Appalachian West* (Knoxville: The University of Tennessee Press, 2005). 228.
[46] Drake, *Pioneer Life in Kentucky*, 90, 205-06.

further demonstrated in the development of political and civic officeholders in Kentucky, and how those who maintained collective approval on charismatic grounds attempted to maintain their claims to legitimacy.[47]

Land, Property, and Political Participation

The Virginia Assembly, in creating Kentucky County in January 1777, laid the foundations for the creation of a social hierarchy in the region, exemplified through the role of the militia. Beyond social organisation, the assembly's actions when combined with subsequent county formations, defined where legal-rational authority was vested in Kentucky. County recognition under Virginia clarified where authority emanated from and also helped to structure the future development in defining legitimate authority for the region.[48] The militia organisation which came with county formation in 1777 rested on collective approval to determine aspects of the hierarchy on charismatic grounds, particularly with defensive concerns paramount. However, county formations also provided for the creation of public offices, political representation, and a court system. Claiming authority through the same criteria exercised in Virginia – an expression of the norms which defined traditional authority – legitimised claims through legal-rational recognition. Basing authority on charismatic principles – demonstrations of skill and dramatic action – and legitimised through the collective approval of settlers, was not enough to legitimately maintain a claim to authority in the political and civil arena.[49] County formation facilitated the social structures necessary to secure the recognition and acceptance of traditional authority. Between the formation of Kentucky County in 1777 and 1799, forty-three counties had been organised in Kentucky. However, only nine of these had been established by the Virginia assembly prior to Kentucky statehood.[50] The greatest impact that these county formations had for legitimising authority in Kentucky was by recognising Virginia land claims over others, such as Richard Henderson's Transylvania Company. While

[47] A further discussion concerning land and the role of the legal system as a means of legitimising authority is contained in chapter two.

[48] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 9 (Richmond: J&G Cochran, 1821), 257-61.

[49] Weber, *Social and Economic Organisation*: 324-58. Craig Matheson, "Weber and the Classification of forms of Legitimacy," *The British Journal of Sociology* 38, no. 2 (1987): 213.

[50] See chapter six and the individual county histories contained in: Lewis Collins and Richard H. Collins, *Historical Sketches of Kentucky: Embracing Its History, Antiquities, and Natural Curiosities, Geographical, Statistical, and Geological Descriptions; with Anecdotes of Pioneer Life, and More than One Hundred Biographical Sketches of Distinguished Pioneers, Soldiers, Statesmen, Jurists, Lawyers, Divines, Etc*, 2 vols., vol. 2 (Covington: Collins & Co., 1874).

landownership gave those with legitimate claims an advantage over landless tenants, as previously discussed landownership also legitimised claims to wider social authority through participation in the political process. In determining a legitimate claim to authority in Kentucky, landownership among would-be authority figures reflected the acceptance of traditional criteria for defining authority. In determining who could legitimise social authority, landholding signified personal independence and determined which settlers were able to exercise collective approval in the political process.[51]

Landholding can be described as the most definitive asset for a gentleman in the eighteenth century, especially when combined with the expressions of patriarchy accompanying vast acreage; slave labour and tenants. Landownership defined personal independence and depending on the level of acreage, the number of slaves owned, or the number of holdings leased to landless tenants, understandings of personal independence included the elimination of the need to work one's own lands. It is through this understanding of personal independence that elite monopolisation of public office through an acceptance of their authority can be understood. These landowners had reached a level of personal independence which eliminated the need to work their own land, legitimising a claim to public office as their 'rank and accomplishments fitted them for rule.'[52] As discussed in chapter one, achieving this level of independence in a Virginian context necessitated a minimum landholding of 200-to-500 acres and more than 20 slaves. This provided the necessary levels to leave an inheritance for the next generation and the freedom from labour and dependency. It was through such an understanding that Virginian gentry legitimised their monopoly of public office. They had the collective acceptance and therefore approval, despite the Revolution altering where the traditionally-established institutions based their legitimacy. The levels of landownership differed greatly in Kentucky, however, due to the numerous land warrants issued and a belief in the abundance of land. Yet a belief in an entitlement to authority can be expressed in a similar fashion; of a natural aristocracy based on landownership, providing a freedom from personal labour.[53]

Assessing the landholding required for defining a gentleman, or at least a member of the elite in Kentucky, is complex. As the level of land claims ultimately exceeded the

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[51] James Rood Robertson, *Petitions of the Early Inhabitants of Kentucky to the General Assembly of Virginia, 1769 to 1792* (Louisville: John P. Morton & Company, 1914). 36-37.

[52] Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: The University of North Carolina Press, 1996). 248, 77. Isaac, *Transformation of Virginia*: 114, 31.

[53] Harrison, *Kentucky's Road to Statehood*: 22. Friend, "Inheriting Eden," 282.

level of available land, landholding has to be used in conjunction with other status criteria in order to define who can be legitimately classed as a member of the elite. The land act of 1779 provided those who had settled prior to 1778, certificates for 400 acres at a reduced price. Those who 'improved' the land through the building of a cabin could then pre-empt an additional 1,000 acres. With these provisions the minimum level of land required to define someone as a member of the elite must arguably be in excess of 1,400 acres. Combined with significant slaveholdings – greater than the county average – a landowner can be legitimately characterised as elite.[54] Such an understanding provides for the acceptance that speculating in land was a widespread occurrence across the white-male social spectrum, with speculation in warrants and claims necessary to secure title on land and fund improvements; a tactic which would have been particularly important for settlers arriving after 1779. Yet it also draws a distinction between those who were able to secure clear title to land in excess of 1,400 acres, and those who could not; a distinction between land and claims to land.[55] The minimum level of landholding necessary for elite status when combined with the removal of personal labour, cannot be defined as fixed; yet having such a base criteria not only determined who can be defined as an elite, but how landownership was accepted as a means to legitimise status and authority. Daniel Boone may have claimed 2,400 acres with the opening of the Kentucky County land office in 1780, which in the process recognised the legal-rational authority of Virginia, but he cannot be accurately regarded as a member of the elite.[56] Despite securing title to a maximum of 8,379 acres and owning slaves, Boone's holdings fluctuated yearly, particularly downwards, in the tax records.[57] While Boone was an independent landowner in the short term, the lack of stability precludes any long-term legitimacy for social authority. However, the most significant aspect of Boone's holdings is that they are an example of an attempt to legitimise status through traditional criteria and not charismatic displays.

The acceptance of traditional criteria regarding landholding and the ways in which landholding was identified with personal independence, contributed to the elite monopolisation of the social hierarchy by the 1790s. The elite monopolisation of authority

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[54] Hening, *Statutes at Large*, 10: 39-41, 431-32.

[55] Craig Thompson Friend, "'Work & Be Rich': Economy and Culture on the Bluegrass Farm," in *The Buzzel About Kentuck: Settling the Promised Land*, ed. Craig Thompson Friend (Lexington: The University Press of Kentucky, 1999), 128.

[56] Neal O. Hammon, *Early Kentucky Land Records, 1773-1780* (Louisville KY: The Filson Club Publications, 1992). 114. Joan E. Brookes-Smith, *Master Index: Virginia Surveys and Grants 1774-1791* (Frankfort: Kentucky Historical Society, 1976). 17.

[57] Fayette County Tax Assessment, 1792 (microfilm), KDLA. Fayette County Tax Assessment, 1793 (microfilm), KDLA. Neal O. Hammon and James Russell Harris, "Daniel Boone the Surveyor: Old Images and New Realities," *Register of the Kentucky Historical Society* 102, no. 4 (2004): 553-55.

was clearly evident in the militia by this period, particularly in how gentlemen utilised consensus to solidify their position and gain the collective approval needed to legitimise their authority. Proportionately, the men who can be legitimately seen as members of the gentry were a small minority. With such small numbers, taking a traditional/aristocratic stance would have alienated the settler population. Such a stance would void the collective approval necessary to legitimise authority. Collective approval was maintained in the militia by fostering a feeling of inclusion and consensus by maintaining the election of officers, albeit in a more deferential way.[58] Likewise, in a political context gentlemen may have wanted to create a natural aristocracy of 'enlightened men' through an acceptance of landholding and property ownership. But, this could only be achieved by appealing to republican values and creating a feeling of consensus and participation in the process. Just as militia participation came to promote Jeffersonian republicanism and an acceptance of hierarchy, it also determined who could participate in the political realm through voting with a fixed criterion for candidate eligibility.[59] The Virginia assembly defined who was eligible to vote in Kentucky, and as such provided legal-rational legitimacy to those standing in elections. Prior to Kentucky becoming a separate state the voting laws of Virginia established eligibility for free white men over twenty-one, based on clear property requirements. To vote these men either had to be in possession of 25 acres of 'improved' land – with a cabin – or 100 acres of unimproved land for at least one year prior to the election. By 1785 this provision was lowered to 50 acres of unimproved land. Minimum landowning requirements served to define membership of the electorate as a restricted status and allowed smaller landholders a way to publically show an aspect of their personal independence. Land was even more instrumental in structuring the hierarchy of elections; it determined who was eligible to hold office.[60]

Legislation passed during Kentucky's first years of statehood reflected a continued desire to define office-holders based on land and property ownership, and the value of said property. Age restrictions were in place for those seeking election as a State Representative or Senator – the minimum age for these offices being twenty-four and twenty-seven respectively. Despite the new state constitution removing many direct property

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[58] Harry S. Laver, *Citizens More Than Soldiers: The Kentucky Militia and Society in the Early Republic* (Lincoln and London: University of Nebraska Press, 2007). 10, 16-18, 36-39.

[59] Mary Ann Clawson, *Constructing Brotherhood: Class, Gender, and Fraternalism* (Princeton: Princeton University Press, 1989). 11.

[60] Hening, *Statues at Large*, 9:260. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 12 (Richmond: George Cochran, 1823), 120-21.

requirements for state offices, local offices directly reflected provisions for office-holding as a restricted status. Such provisions represented traditional notions of hierarchy legitimised through Virginian traditions.[61] These provisions offered an extension of the understanding that eligible males had the right to choose their representatives in the House of Burgesses. Such an understanding fits with the deferential model of the Virginian hierarchy, with an expectation that smaller freeholders deferred to the judgement of their wealthier neighbours.[62] This certainly fits with the implementation of a similar system in Kentucky during elections in the 1780s, with the electorate derived from the militia rolls during the constitutional conventions and the continued need for elected officials to meet a property qualification after statehood.[63] However, in late-eighteenth century Kentucky the expansion of the electorate to include white males without land or property may have allowed traditional elites to exert greater authority over the electorate when ballots were cast.

Just as the militia offered a sense of participation for ordinary settlers with the election of gentlemen as officers political elections became public opportunities to reinforce a traditional hierarchy. The right to vote may have been limited prior to Kentucky's first constitution in 1792, corresponding with the understanding of legitimate manhood being a restricted status. However, article 3 of the new constitution stated that '[In] elections by the citizens, all free male citizens of the age of twenty-one years, having resided in the State two years, or the county in which they offer to vote one year... shall enjoy the rights of an elector.'[64] The removal of a property qualification for suffrage may seem radical, yet when considering the level of landlessness in Kentucky, expanding the electorate offered an opportunity to exploit any sense of obligation that elites had garnered over landless tenants in the region, reinforcing a traditional hierarchy.[65] As previously mentioned, tenancy helped to foster a greater potential for dependence among the landless, increasing the deferential and patriarchal claims of gentry landlords. It would not be unreasonable to assume that with this sense of obligation, tenants would be more likely to vote for a landlord if he were a candidate or follow his example. The same argument can be extended to include smaller freeholders who hired slave labour from these gentlemen. Kentucky's constitution can be considered radical in its attitude to voting

[61] First Constitution of Kentucky, 1792, Article 1, Sec. 5-12. First Constitution of Kentucky, 1792 (copy), Breckinridge Family Papers: Box 8, LOC.
[62] Brown, *Good Wives, Nasty Wenches*: 364.
[63] Collins and Collins, *Historical Sketches of Kentucky*, 2: 664. Perkins, *Border Life*: 148-49. Laver, *Citizens More Than Soldiers*: 67-79.
[64] Constitution of Kentucky, 1792, Article 3, Sec.1.
[65] Harrison, *Kentucky's Road to Statehood*: 121.

in that it instituted a ballot rather than a public poll, the first state constitution to do so. Despite this, the argument of a sense of obligation still prevails as the ballot was hardly secret. Voters would hand their ballot to the presiding officer, who recorded the name of the voter and who they had voted for. As such, the election process in Kentucky by the 1790s can be seen as an extension of the 'treating' which characterised Virginian politics as a way to gain collective approval.[66] 'Treating,' the buying of alcohol for the electorate from, or on behalf of, candidates was not simply a means of gaining support. Through treats the paternalism of gentlemen candidates was expressed by their acceptance of an obligation to show 'liberality' towards their less wealthy neighbours. In the public setting of these elections humbler men could reciprocate such liberality, show gratitude, and gain the goodwill of a powerful neighbour by voting for him or the candidate he supported.[67]

Conducting the election process in such a public way offers an insight into the importance of collective approval to legitimise authority, as well as how charismatic principles could be manipulated to reaffirm the traditional hierarchy. Under the restricted nature of Virginia elections, where only freeholders could vote, gentlemen candidates acknowledged the agency of this group, creating a feeling of participation and consensus. Simultaneous to these developments, such practices furthered an acceptance for traditional authority, thereby providing the collective approval necessary to legitimise it. This acknowledgement of consensus was extended further in Kentucky with the removal of property qualifications, yet it had the same outcome, albeit through an acknowledgment of charismatic ideals. By creating this feeling of consensus in political decisions, potential candidates were making concessions which had been required in other avenues of social organisation.[68] Again initially developed through the militia, wealthy figures began by appealing to the ideals of the settlers, much in the same way that frontier Big Men gained collective approval. However, by maintaining property qualifications for candidates wealthy Kentuckians, regardless of how long they had been in the region, could dictate the development of political affairs. For example, John Breckinridge had been in Kentucky less than a year when Governor Isaac Shelby appointed him attorney-general. By 1797, Breckinridge had been elected to the Kentucky House of Representatives and was instrumental in maintaining the status quo during the 1799 constitutional convention that

[66] Constitution of Kentucky, 1792, Article 3, Sec.2. Reuben Gold Thwaites, ed. *Early Western Travels, vol. 4: Cuming's Tour to the Western Country, 1807-1809.*, 30 vols., vol. 4 (Cleveland: A.H. Clark Co., 1904), 198.

[67] John Gilman Kolp, *Gentlemen and Freeholders: Electoral Politics in Colonial Virginia* (Baltimore and London: The Johns Hopkins University Press, 1998). 5-6, 14. Isaac, *Transformation of Virginia*: 110-13.

[68] Perkins, *Border Life*: 148-49.

reaffirmed Article IX securing, and then amplifying, a defence of slavery. The 1799 constitution even went so far as to remove the 1792 provisions which allowed free Blacks to vote. Utilising elements of the charismatic Big Man, gentlemen candidates gradually implemented the acceptance of patronage as a traditionally-established norm. Such evolution of the hierarchy and the continued importance of property to legitimise office-holding, can be seen in the men who held office in Kentucky.[69]

Prior to county organisation under Virginian jurisdiction, Kentucky had some form of political hierarchy out-with a militia structure in the mid-1770s. Richard Henderson, attempting to assert his authority and the legitimacy of his Transylvania Company, organised an election of sorts for representatives to the Transylvania Colony House of Delegates. These 'elected representatives' met in May 1775 under a tree outside the gates of Boonesborough. These men represented the diverse social spectrum of Kentucky's first months. As well as more elite men such as Samuel Henderson, Richard Callaway, John Floyd, and John Todd; the frontier Big Man was in also attendance. Daniel Boone was one of six representatives from Boonesborough, James Harrod was one of four from Boiling Springs, and Valentine Harmon was among those representing Harrodsburg.[70] The existence of such a diverse group of elected officials alludes to the relative weakness of traditional social structures at the time. Based on the men present, legitimate authority required making concessions to the collective approval of charismatic Big Men. Despite the failure of Henderson to legitimise his Transylvania venture, those elected to represent Kentucky in the Virginia assembly reflected the wider authority the Big Man could achieve, especially when the militia remained as the clearest definition of a social hierarchy. Traditional authority figures had been elected to represent the region through the 1770s, including Richard Callaway, George Rogers Clark, and John Todd; Daniel Boone also spent time as an elected official in Richmond during 1781, standing out in his hunting shirt and leggings. A look at the men involved during Kentucky's first statehood conventions also allude to an involvement of the frontier Big Man among what would be regarded as the 'articulate centre.' Benjamin Logan, Isaac Shelby, and Robert Patterson retained a presence in many of these convention meetings, although all conformed more readily to a traditional understanding of authority despite their pioneer beginnings. As the threat of Indian attack lessened and Kentucky's population increased, few frontier Big Men managed to legitimise

[69] Constitution of Kentucky, 1792, Article 3, Sec.1-2. Constitution of Kentucky, 1792, Article IX. Second Constitution of Kentucky, 1799, Article VII, Sec. 1-2. Aron, *How the West Was Lost*: 94-95.
[70] Collins and Collins, *Historical Sketches of Kentucky*, 2: 501.

authority in such an arena through charismatic displays as the acceptance of traditional authority became the norm.[71]

The increased acceptance of traditional authority in Kentucky's political representation, however, is too often focused on the movement towards statehood and a national context. Taking this wider view does help to understand the political divisions and tensions between members of the elite, often referred to as the 'articulate centre' of Kentucky society.[72] However, the wider view does not adequately explain the gradual acceptance of traditional authority on a local level, especially when determining the legitimacy of this authority. Dividing the articulate centre into two factions – the Court Party with the growing number of lawyers and judges forming its core, and the Country Party primarily formed of surveyors and planters – can show some members of the elite were more prepared than others to accept charismatic tactics in order to gain support. However, this occupational difference has little significance when determining what made authority legitimate. The articulate centre, regardless of whether Court or Country party, was distinct from ordinary settlers due to their land and property ownership. Approaching the articulate centre as two distinct groups creates a sense that the development of elite authority was inevitable and does not fully account for how this authority came to be accepted on a local level. Regarding the articulate centre as one distinct group united in their acceptance of a traditional model of authority and collective approval, better explains their dominance of authority at all levels and the gradual acceptance of their belief that office-holding was the only legitimate means for securing authority.[73] The articulate centre is therefore one group, made up of a clearly identifiable gentry class by the end of the 1780s, regardless of when they migrated or their political ideologies. Understanding the gentry as one group seeking to legitimise their hierarchical control over all aspects of authority, and not just national concerns, better explains why property qualifications were maintained for office-holding. It also explains why frontier Big Men who maintained social authority beyond the 'pioneer phase' did so by pursuing traditional means for gaining collective approval.[74]

Craig Thompson Friend has argued that with the gentry showing a greater concern for national, rather than local politics, frontier Big Men were still able to retain a degree of prominence among their communities, accepting the traditional model as legitimate.

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[71] Ibid., 1: 354-57. Faragher, *Daniel Boone*: 213-14. Perkins, *Border Life*: 146-47. Watlington, *The Partisan Spirit*: 58-60. Harrison, *Kentucky's Road to Statehood*: 132-33.
[72] Watlington, *The Partisan Spirit*: 43-44.
[73] Ibid., 90, 108-09. Harrison, *Kentucky's Road to Statehood*: 23.
[74] Friend, *Along The Maysville Road*: 64, 220-39.

However, the Big Men who retained social prominence did so because they met the property requirements to hold office. The way in which Big Men had legitimised their authority through charismatic collective approval was no longer seen as valid. However, the articulate centre, as a group was more concerned with state-wide and national issues, and they controlled the majority of state and national offices.[75] Humphrey Marshall and Robert Breckinridge had been among their county representatives at the Virginia convention ratifying the United States constitution and would continue to dominate local offices. Breckinridge would go on to serve as Speaker of the House between 1792 and 1795 as one of Fayette County's representatives in the State congress.[76] From Jefferson County, Alexander S. Bullitt would dominate the State Senate for the first decade of statehood as their speaker, with his local status demonstrated as the county lieutenant of the Jefferson militia. Bullitt, the son of a distinguished Virginian lawyer, had been in Kentucky since 1784 and quickly became established as a member of the elite.[77] Bullitt's 500 acre plantation may have been smaller than many of his contemporaries among the articulate centre, yet having cleared 150 acres for tobacco cultivation his yearly income was in excess of £680 by the 1790s. Despite a relatively small landholding, compared with the 1,400 possible for the earliest settlers, Bullitt is further legitimised as a member of the elite through his ownership of 45 slaves. Free from the demands of labour, Bullitt could legitimately participate in the political arena. The aspect of Bullitt's comparatively small holdings – especially when compared to the Marshall and May families – introduces another aspect into how the articulate centre came to dominate authority on a local level as well.[78]

From the earliest county organisation in Kentucky members of elite families dominated local political affairs and dictated who could legitimately claim the authority that landholding conferred on individuals. Division into counties provided Kentucky with an institutional framework for authority in the form of county courts, justices of the peace, and city/town trustees; such a framework allowed for the implementation of a traditional model to the social hierarchy. In the political arena of early Kentucky the exercise of

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[75] Ibid., 94.

[76] Robert Breckinridge had undoubtedly secured a position as an elite landholder which legitimised his social standing. Prior to the 1790s Breckinridge had patented 20,545 acres of land though his career as a surveyor. However, this was dwarfed by the acquisitions of Humphrey and Thomas Marshall. Thomas Marshall had used his county surveyor office to patent over 127,000 acres, while his nephew Humphrey, patented over 97,000 acres. Watlington, *The Partisan Spirit*: 43.

[77] Collins and Collins, *Historical Sketches of Kentucky*, 1: 355-63. ibid., 2: 106, 357. "Virginia Justices of the Peace and Miliatry Officers in the District of Kentucky Prior to 1792," *Register of the Kentucky Historical Society* 25, no. 73 (1927): 55, 59.

[78] Despite producing a high income for Bullitt, his landholdings were dwarfed by the 97,000 acres of Humphrey Marshall, the 128,000 acres of Thomas Marshall, and the 831,000 acres of John May. Watlington, *The Partisan Spirit*: 95, 142, 89-90.

authority was a local affair.[79] The provisions for selecting offices that followed county formation support this local view, with the articulate centre defining the requirements for office-holders. Any free white male was eligible to hold office, but only if they fulfilled the traditional/legal-rational criteria. From the earliest organisation of Fayette County the Todd family were prominent in the social and political life of the county, and Lexington in particular. Beyond a militia context, Levi Todd had combined multiple social positions since the formation of the county. As well as a tax commissioner and clerk of the county court, Levi was one of the first trustees of Lexington and served on the board of trustees for Transylvania University with his brother Robert.[80] The assumption of these multiple offices provides an understanding of how traditional concepts of authority, and acceptance of gentry legitimacy as office-holders developed through the 1780s and into the 1790s. While landholding and property requirements as criteria for voting were removed with Kentucky statehood property requirements still remained for important local posts, such as justice of the peace and town trustees. By maintaining such requirements through the 1780s traditional elite figures in Kentucky ensured that exercising authority remained a restricted status. Gaining collective approval through charismatic displays was no longer enough to legitimately claim authority; it had to be supported with traditionally defined criteria.

Office-holding as a restricted status can be understood as a natural development in Kentucky's social hierarchy, especially regarding interpretations of masculinity and independence from the era. The requirement for office-holding, whether elected or appointed, did not exclude the frontier Big Man it merely defined the limits to charismatic legitimacy by the 1780s, and helped to secure a more traditional model of authority. Through the 1780s, when landholding was still a requirement for independence and political participation, legitimacy was defined through the legal-rational authority of the Virginia assembly. The frontier Big Man could therefore legitimately participate in public life, provided he had the correct property requirements. The presence of Daniel Boone and other charismatic Big Men among those who served on grand juries throughout the 1780s, argues for their legitimacy as independent freeholders in participating in public life. However, the continued calls to examine the qualifications of jurors for the Kentucky District Court also argues that in order to establish traditional authority in Kentucky, elite

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[79] Perkins, *Border Life*: 120-22.

[80] Fayette County Tax Assessments 1787-1799 (microfilm), KDLA. Collins and Collins, *Historical Sketches of Kentucky*, 2: 172. "Virginia Justices of the Peace," 57. George W Ranck, *History of Lexington, Kentucky: Its Early Annals and Recent Progress, Including Biographical Sketches and Personal Reminiscences of the Pioneer Settlers, Notices of Prominent Citizens, Etc., Etc.* (Cincinnati: Robert Clark & Co., 1872). 64. Cousins, "Lexington's 'Established Order'," 7.

men were intent on maintaining restrictions on who could participate and a strict hierarchy among participants.[81] The evolution of authority in Kentucky towards this traditional model did not exclude the frontier Big Man from gaining authority and holding political office. Certainly, the influence of charismatic tenets had a major influence on how collective approval was initially gained through elections. However, the presence of Big Men in the social hierarchy was restricted by the acceptance of traditional concepts of authority, particularly when property requirements remained in place for office-holding. Through such requirements members of the articulate centre ensured that only those who 'qualified' through traditional means could legitimately hold positions of authority, and that the collective approval gained through charisma was increasingly limited in its impact on the social hierarchy.

Such practices for limiting the legitimacy of Big Men while not excluding them completely, defined one aspect of how a traditional model for authority gained the necessary collective approval for legitimacy, furthering a gentry understanding of hierarchy in the post-Revolutionary period. Settlers defined as Big Men were recognised through their holdings of important social positions, such as justice of the peace, throughout Kentucky's social development. Hugh McGary served as a justice of the peace in Mercer County, while Robert Patterson served as one of Lexington's first trustees alongside Levi Todd, and maintained a presence on the board of Trustees until 1803, retaining his prominence as a citizen from the early pioneer phase. While men such as McGary and, in particular, Patterson had gained a local reputation by exemplifying the masculine ideal for their communities, basing collective approval on charismatic tenets would not have been enough to legitimise their official positions by the turn of the nineteenth century.[82] To be appointed a sheriff in Kentucky by the 1790s a candidate had to enter into two separate security bonds, one of which carried a value of 3,000 dollars. A property qualification was also in place for determining who could serve as a town trustee in the same period, as well as those who could elect such office-holders. In Lexington for example, eligible electors and trustee candidates had to be free-holders over 21 years of age and hold property in the town valued over 25 pounds. Seven candidates were then elected on an annual basis. These positions carried a great amount of authority over the course of local life, and

[81] First Order Book of the Kentucky District Court, 1783-1786 (microfilm), 33, 40, 82-83. UKSC.
[82] Collins and Collins, *Historical Sketches of Kentucky*, 2: 172, 94-95. "Virginia Justices of the Peace," 56-57. Ranck, *History of Lexington*: 26, 64. Friend, *Along The Maysville Road*: 23, 94.

Lexington's earliest trustees were able to dictate policies which suited their interests.[83] However, while such positions were important on a local level and set the foundations for further domination of a wider hierarchy, Big Men who maintained a role in such public positions did so because they were able to legitimise a claim through traditional means and not charismatic displays; they had fulfilled the property qualifications.

Determining who fulfilled the property qualifications and could legitimately claim authority as a trustee or other public official can be ascertained through the available tax records. Not only can these records determine potential social standing based on landholding, but also the property values which further maintained the legitimacy of traditional candidates. While the early tax records do not consistently record landholding, it is possible to make assumptions of status based on the ownership of other property such as slaves. Such assumptions can show the limited ability for frontier Big Men to retain authority beyond the local level as the region developed into the 1790s. While there is no landholding listed in the 1787 tax assessment for Fayette County, Robert Patterson is listed as owning 3 slaves. Without knowledge of landownership his slaveholdings would not appear sufficient to provide legitimacy for elite standing. In fact, when compared with charismatic contemporaries Patterson's slaveholding pales in comparison to Simon Kenton's in Mason County, who owned 12 slaves by 1792. Yet when the tax lists do reveal landholding, it is possible to ascertain who could legitimately monopolise positions of authority and who could merely maintain legitimacy at a local level. By the 1790s the recorded holdings of frontiersmen, such as Daniel Boone, are dwarfed by those of the Todd family in Fayette or Alexander Orr in Mason.[84] By the mid-1790s Robert Patterson's Fayette landholding was around 800 acres, with nearly ten times that amount held in other counties. This is similar to Levi and Robert Todd's holdings from the same period. State-wide the Todd brothers held 10,235 and 16,814 acres respectively by 1796; to which can be added slaveholdings of 19 and 18. Patterson can therefore be deemed one of the few charismatic Big Men who was able to make the successful transition to traditional authority. The local dominance of Patterson and Todd, as well as newer elites such as John Breckinridge, Henry Clay and other elite families such as the January's, was reflected in the

[83] William Littell, ed. *The Statute Laws of Kentucky; with Notes, Praelections, and Observations on the Public Acts*, 3 vols., vol. 1 (Frankfort, KY: William Hunter, 1809), 82, 110. Ranck, *History of Lexington*: 75-77. Cousins, "Lexington's 'Established Order'," 7.

[84] Boone's landholding in the Fayette list for 1793 is listed at 300 acres, while Kenton's landholding in Mason is 1,600 acres. A former representative for Mason in the State Legislature, Alexander Orr's listed property by 1799 was 16 slaves and over 38,000 acres. Fayette County Tax Assessment, 1787 (microfilm), KDLA. Fayette County Tax Assessment, 1793 (microfilm), KDLA. Mason County Tax Assessment, 1794 (microfilm), KDLA. Mason County Tax Assessment, 1799 (microfilm), KDLA.

their property values within Lexington over the same period. Between 1796 and 1800, the value of Patterson's property in Lexington ranged from £1,600 to £4,192. While the Lexington property values of Levi and Robert Todd appear low at £150 and £200, they maintained a value which exceeded the minimum for legitimate office-holding. This helped ensure their continued presence in local authority, especially when combined with their wider landholdings in multiple counties.[85]

The 'Established Order'

The significance of property qualifications for local offices established their restricted nature, especially once the same qualifications were lessened in regards to voting. Such a change determined which of the Big Men were worthy of continued participation in positions of authority as the social hierarchy developed. By maintaining a significant property valuation, Robert Patterson was able to prove his suitability as an authority figure in Lexington and Fayette County by adhering to a traditional understanding of authority. These positions provided the legal-rational recognition of an authority claim, and therefore legitimised the social position of the holder. As the defensive needs of the region lessened, the increasingly restricted nature of political and civic offices, and the command positions within the militia evolved the understanding of authority in Kentucky. Patterson, by adhering to the traditional concepts of authority based on land and property, managed to evolve in this changing society when many of his frontiersman contemporaries did not. Patterson recognised the limits of charisma as the region became more densely settled. By the mid-1780s collective approval was increasingly gained through an acceptance of traditional authority, rather than the charisma which defined the position of the Big Man. Those Big Men to evolve successfully legitimised their authority, as their early gentry contemporaries – such as Levi Todd – increasingly defined who could be included among the 'established order.'[86]

Despite the changes which had taken place regarding legitimacy and the increasing expression of collective approval as a means of representing a traditional model of authority, not all charismatic Big Men found their position limited by the end of the eighteenth century. While Daniel Boone and Simon Kenton had found opportunities to remain in the Kentucky elite limited as the emphasis shifted from defence to property ownership, and others such as Robert Patterson, had recognised the limits of charisma, some still managed to maintain legitimacy based on a charismatic belief in their abilities.

[85] Lexington Tax Assessments, 1796-1800, DM20CC10-194.
[86] Friend, *Along The Maysville Road*: 94. Perkins, *Border Life*: 121-22.

Charles Scott, who had migrated to Kentucky in 1785 and established a station, loomed large in the recollections of settlers interviewed by John Dabney Shane.[87] Scott came to Kentucky with a sizeable military reputation, having served during Braddock's campaign in 1755 and risen to the rank of brigadier-general during the Revolution. Once in Kentucky, Scott continued his military focus through his involvement in the militia and appeared to revel in the role of Indian fighter. Despite being an acquaintance of James Wilkinson and Harry Innes, Scott's military career offered a way to gain legitimacy for his office holding. He may not have been the military equal of George Rogers Clark on the frontier, but his 'ardour for warfare' provided the charisma needed for the collective approval of settlers. When settlers remembered Scott to Shane many decades later, it was his great daring in battle which stood out.[88] It was this ability which continually provided legitimacy to Scott's leadership in Kentucky, despite a reputation founded almost exclusively on military achievements and many less desirable characteristics. William McClelland described Scott as 'one of the wickedest men I ever saw,' and recalled that he had been asked by a Baptist congregation to leave a neighbourhood as 'he was corrupting the morals of the youth.'[89] Despite such views, Scott had a county named after him in 1792 and was elected governor of the state in 1808. Scott's military credentials and reputation had been enough to maintain his legitimacy as an authority figure throughout this period, despite his association with the established order. The case of Charles Scott therefore suggests that despite the limitations of charisma as a means of gaining collective approval by the end of the eighteenth century, some men could still maintain legitimacy as authority figures in isolated cases, provided their charisma was channelled through hierarchical institutions such as the militia.[90]

The understanding of where authority emanated from, and what legitimised a claim to authority, allowed for the creation of an 'established order' or 'articulate centre' without the need to account for the many political ideologies displayed amongst the elite. While there may have been political disagreements and clashes between the gentry who migrated during the pioneer phase of Kentucky's development – the Todd and McDowell families, for example – and the newer elites who migrated later – the Breckinridge and Clay – such factions are superfluous when defining what constituted legitimate authority. Whether seen through the guise of the Court party, the Country party, the articulate

[87] JDS interview with William Moseby, DM11CC270-271.
[88] Paul David Nelson, "General Charles Scott, the Kentucky Mounted Volunteers, and the Northwest Indian Wars, 1784-1794," *Journal of the Early Republic* 6, no. 3 (1986): 219-51.
[89] JDS interview with William McClelland, DM11CC184.
[90] Collins and Collins, *Historical Sketches of Kentucky*, 2: 696-707.

centre, or the established order, the one aspect which all these men had in common whether lawyers, surveyors, or merchants, was their understanding of authority. Despite distinct political differences and aims, they shared an understanding of authority which based legitimacy on the collective acceptance of traditionally-established norms; that there was a collective acceptance for their claims to authority. Connected through family, or ties to prominent Virginians, this established order carried with them an expectation of deference. As the social institutions of Kentucky became more organised through the 1780s, elite members of society could increasingly determine the structure of the social hierarchy and who could express collective approval. By monopolising positions of authority the established order provided a legal-rational legitimacy for their traditional understanding of authority and the wider social hierarchy.[91]

The counties surrounding the Bluegrass and the growing city of Lexington have a tendency to dominate the discussion of Kentucky's social hierarchy, and provide many of the examples. This is understandable due to the assumptions over the quality of the Bluegrass lands providing a draw for settlers. The counties in this region attracted settlers, in particular elite settlers, who had the connections and wealth to secure land quickly. In the process Lexington quickly became a bastion of gentility in the wilderness. An increase in elite migration towards the Bluegrass helps to explain the acceptance of traditional authority in the region, and the increasingly rigid social hierarchy. However, while the Green River region was not developed as quickly as the Bluegrass and did not capture the imagination of settlers to the same degree, the acceptance of a traditional model of authority as a means of gaining collective approval can be seen throughout Kentucky by the 1790s, at least in terms of legitimising political authority. Levi Todd, Benjamin Logan, Isaac Shelby, and Alexander Bullitt were recognised as part of their county elite and defined their legitimacy through land and property ownership. Regardless of region, county formation provided the necessary conditions to establish the acceptance and legitimacy of traditional authority.[92] Through the 1780s and 1790s county organisation had a significant impact on the social and political organisation of the region, as well as influencing how such positions were legitimately claimed. With county formation came legislation to organise county courts, appoint officials, and confer legal-rational legitimacy on the men who would hold these offices. County organisation would also help with the gradual evolution and acceptance of a traditional model with which to understand authority, and determine the

[91] Cousins, "Lexington's 'Established Order'," 6-14. Friend, *Along The Maysville Road*: 64, 72, 80, 124, 26. Watlington, *The Partisan Spirit*.
[92] Aron, *How the West Was Lost*: 150-69.

criteria for legitimately claiming authority. With an increasing population due to migration and an unequal division in landownership, traditional understandings of independence and deference provided a clear way to express authority over others in the social hierarchy.

The unequal land distribution in Kentucky allowed elite landholders to more effectively assert their patriarchal authority over landless whites through tenancy, and expect a degree of deference in return. Landownership provided a definition of independence in the eighteenth century, as well as contributing to legitimate participation in the political process; landownership allowed a man to hold office. As with traditionally accepted understandings of authority, ranking the social order based on the number of acres held and the overall value of property, defined who had a legitimate claim to social authority and deference from those lower on the hierarchy. The role of tenancy and slavery provided the necessary conditions for poorer settlers to accept gentry authority as legitimate. Through tenancy, poor whites were essentially postponing claims to personal independence, and could be classed as a form of dependent labour for elite landowners regardless of any power they may have had in negotiating service. When combined with the dependent status of slaves, tenancy legitimised the authority of elite landowners. With clear examples of dependents, this group were able to enjoy the necessary freedom from labour to justify political participation. Once the need to own land was eliminated as a prerequisite for voting in Kentucky, traditional concepts of authority had to be reinforced in other ways. One way was to retain land and property requirements for office-holding and as a means of legitimising authority. This option created a distinction between elite office-holders and ordinary settlers but enabled these settlers to express collective approval by participating in the election process. Under such scenarios the frontier Big Man was not eliminated from legitimate authority, but could not claim legitimacy based on collective approval gained through charismatic means. The Big Man, in order to legitimise political and civic authority had to adhere to traditional definitions. Those who adhered to such understandings of authority formed the ‘established order’ or ‘articulate centre’ of Kentucky society by the 1790s. How this group exercised such authority in shaping Kentucky’s landscape and economic development to visibly demonstrate their status, further served to entrench a traditional model for authority in the region. These visible demonstrations of status and authority limited the influence of charismatic displays as a legitimate avenue for social advancement and authority by the end of the eighteenth century.

Chapter Six

Cultivating a Country: Infrastructure, Improvements, and the Legitimacy of the New Elite

As argued in chapter five, the role of county formation in Kentucky legitimised aspects of traditional authority by providing clear definitions of where authority emanated from in the region. The creation of courts, legislatures, and civic positions within towns supplemented the militia in providing visible symbols of authority. Such a framework defined the legal-rational authority of these institutions. Within this framework an acceptance of the customary norms which defined traditional authority can be seen in how collective approval was secured in the region throughout the 1780s and 1790s. Through voting and office-holding legislation, these institutions defined who could legitimately assume positions of authority and the criteria which legitimised such a claim. Subsequently, collective approval reflected a traditional model of authority based on understandings of property ownership and limited the potential for charismatic displays of bravery and skill. The purpose of this chapter will be to further the discussion from chapter five and relate how the gentlemen who formed the established order used their authority to shape the course of Kentucky's development by the end of the eighteenth century. The methods utilised for legitimising authority provided the basis for collective approval to be founded upon traditional understandings.[1] By placing the legitimacy of office-holding on land and property ownership, the established order limited the role of charisma in authority contests. The frontier Big Man, while not excluded from authority, had to adhere increasingly to this 'traditional' concept of authority in order to be regarded as legitimate. In shaping who could hold office and how such claims were legitimised, the established order could not only monopolise positions of authority, but use this authority to shape the region in a way which could visibly demonstrate their 'natural aristocracy.' Not only would this continue to encourage an acceptance of traditional norms of collective approval, but would further limit the legitimacy of charisma as a valid criteria. In keeping with eighteenth-century theories of societal development, the authority wielded by the established order limited charisma by emphasising a rearticulated understanding of

[1] Max Weber, *The Theory of Social and Economic Organisation*, trans. A.R. Henderson and Talcott Parsons (London: William Hodge and Company Ltd., 1947; repr., 1964). 346-58.

republican virtue and civic duty within a social hierarchy; rather than the masculine ideals which formerly elevated the frontier Big Man.[2]

The dominant theory of social development during the latter half of the eighteenth century rested on the enlightenment beliefs of French and Scottish writers to delineate the stages of social development, with each stage based on a different mode of subsistence. By the 1790s such classical republican ideals had been altered to reflect the more commercial, egalitarian, ideology developed during the Revolution. Whilst visiting Kentucky in 1795, Victor Collot theorised on concepts of social development based on his encounters with settlers. Believing that societies matured from hunting cultures, towards semi-permanent pasturage, agriculture, and finally commerce, Collot ranked the settlers he encountered between Limestone and Frankfort into three classes in line with 'occupation, fortune, and character.' The nomadic 'Forest Men,' who existed solely on hunting, opened the way for the 'First Settlers' to begin subsistence farming and husbandry. These First Settlers cleared the land, enabling the 'Great Settlers' to establish plantation economies and permanent civil structures. Collot not only distinguished between settlers based on the subsistence pursued, but also the architecture which denoted their presence on the landscape. From the hunter's cabin and the block-house, to the more permanent houses and estates built by the Great Settlers.[3] Such understandings would certainly have been recognised by Kentucky's established order by the 1790s. The social elites, regarding themselves as Great Settlers, sought to tame the wilderness and advance settlement through refined manners, habits, and morals. Beyond these concepts of societal evolution, however, the acceptance of traditional norms within Kentucky revealed not only how authority could shape the region's development, but how authority was commemorated and displayed on the landscape throughout the first decades of settlement.[4]

The influence which evolving social structures would have in determining how authority was regulated and accepted in Kentucky, can be seen in how the landscape was 'ordered' through place names and infrastructure improvements. The initial weakness of

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[2] Gordon S. Wood, *Empire of Liberty: A History of the Early Republic, 1789-1815* (New York: Oxford University Press, 2009). 357-59. See also: Francois Furstenberg, "The Significance of the Trans-Appalachian Frontier in Atlantic History," *American Historical Review* 113(2008).

[3] George-Henry-Victor Collot, *A Journey in North America, Containing a Survey of the Mississippi, Ohio, Missouri and Other Affluing Rivers*, 2 vols., vol. 1 (Paris: Arthus Bertrand, 1826). 98-114. Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (New York: W.W. Norton & Company, 1982). 18-19.

[4] Craig Thompson Friend, *Along The Maysville Road: The Early Republic in the Trans-Appalachian West* (Knoxville: The University of Tennessee Press, 2005). 60-64. Gregory H. Nobles, "Breaking into the Backcountry: New Approaches to the Early American Frontier, 1750-1800," *The William and Mary Quarterly* Vol.46, no. 4 (1989): 643.

traditional norms for regulating authority was reflected in the landmarks and settlements, as well as the names chosen for them. The collective approval of the frontier Big Man was reflected in these commemorations, providing a demonstration of the legitimacy of charismatic authority in these early years of settlement. Likewise, as customary norms became more established with the formation of social structures to confer legal-rational legitimacy, the commemorations of landmarks, settlements, and counties began to reflect the ideals of the established order. Beyond the commemorations reflected in the naming of landmarks, the efforts to improve infrastructure and transport routes in Kentucky went beyond the economic improvements these changes would bring. By imprinting order on the landscape through clearly defined roads and grand estates, members of the traditional elite were eroding an avenue where 'Big Men' could still distinguish themselves through charismatic acts. As long as travel routes remained dangerous and ill-defined, the ability and willingness of settlers to travel between stations contributed to aspects of masculine identity associated with the frontier Big Man. By enacting legislation for 'civilised' highways, members of the established order could visibly show their status through their fine carriages and the grand estates which flanked the new routes. Much like the changes in the militia as the eighteenth century developed, in wielding political authority to cultivate the country, members of the elite eroded the legitimacy of charismatic authority by recasting formerly voluntary duties as civic requirements. Such a change placed the improvements as part of a wider understanding of social roles in Kentucky.[5]

Settlements, Landmarks, and Customary Norms

Between the foundation of the first settlements and statehood an estimated seventy thousand people crossed the Appalachian barrier for the purpose of settling in Kentucky. The 'cognitive landscape' articulated by these settlers reflected not only patterns of habitation, but also understandings of authority and customary norms in relation to the landscape, settlements, and the relationship between these spaces. The process of naming landmarks and settlements provided order to the landscape, not only reflecting the most important concerns of these pioneers, but their understandings of authority and the importance of Big Men to community organisation. The most explicit example concerns the naming of natural landmarks in the absence of man-made structures, and a similar naming of settlements which reflected the absence of traditional norms to the authority structure. The earliest pioneers provided collective approval to frontier Big Men in how they

[5] Craig Matheson, "Weber and the Classification of forms of Legitimacy," *The British Journal of Sociology* 38, no. 2 (1987): 213.

recognised and placed their settlements on the landscape.[6] For much of the 1770s and 1780s, the settlements in Kentucky reflected the defensive concerns faced by the pioneers and supported the role of the militia as the only real aspect of community organisation for the region. Such defensive concerns are reflected in William Boyd's recollections of small fortified communities throughout Kentucky at this time. 'Any family settling on a frontier point and strengthening themselves as they could, was called a station.'[7] These frontier stations, the term used interchangeably with 'forts,' provided a means of defence, but were often merely a collection of cabins built closely together. Spencer Records provided a description of how to construct a frontier fort, while Josiah Collins furnished John Dabney Shane with a diagram of how Boonesborough was structured in the 1770s (Fig 6.1). Yet, while the role of these stations added to defensive concerns, how they were named and ordered in the landscape reflected the role of local Big Men in such communities.[8]

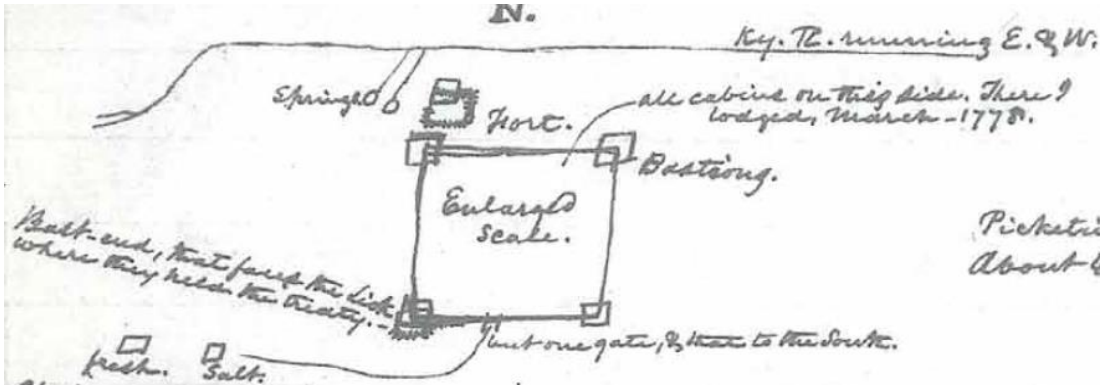

Figure 6.1. Plan of Boonesborough, c.1778. JDS interview with Josiah Collins (i), DM12CC74. Image courtesy of the State Historical Society of Wisconsin (hereafter SHSW).

The first permanent settlement founded in Kentucky, Harrodsburg reflected the name of its founder James Harrod, a man who embodied the ideals of frontier masculinity and Big Man status. Likewise, when the thirty men employed to blaze the Wilderness Road

[6] Hazel Dicken-Garcia, *To Western Woods: The Breckinridge Family Moves to Kentucky in 1793* (Rutherford, N.J.: Fairleigh Dickinson University Press, 1991). 17. Elizabeth A. Perkins, *Border Life: Experience and Memory in the Revolutionary Ohio Valley* (Chapel Hill: The University of North Carolina Press, 1998). 42, 52, 60.

[7] John Dabney Shane interview with William Boyd, Draper Manuscript Collection 12CC59 (hereafter JDS and DM). Lyman Copeland Draper and State Historical Society of Wisconsin, *Kentucky papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

[8] Spencer Records' Narrative, DM23CC95-97. JDS interview with Henry Parvin, DM11CC172-175. JDS interview with Josiah Collins (i), DM12CC74. For a further description of the construction of these frontier 'forts' see: Joseph Doddridge, *Notes on the Settlement and Indian Wars of the Western parts of Virginia and Pennsylvania, 1763-1783* (Wellsburg, VA:1824). 94. W. Stephen McBride and Kim A. McBride, "Frontier Forts of Western Virginia: Their Role within Historical and Contemporary Landscape," *The Augusta History Bulletin* 42(2006): 22.

in March, 1775, reached the central Bluegrass they chose to name their new settlement in honour of Daniel Boone, the man who had piloted them through the wilderness. Despite the venture being part of Richard Henderson's Transylvania Company, the new settlement was initially named 'Fort Boone' and by all accounts the naming was a group decision. Boone's legitimacy as a Big Man is reflected in the decision to name the new settlement in his honour; it was a demonstration of the collective approval of the men he had piloted. The strength of this collective approval was further demonstrated upon Henderson's arrival in Kentucky. Rather than rename the settlement to reflect his own self-perceived status, Henderson bowed to the collective approval for Boone, altering the name to the grander 'Boonesborough.'[9] Demonstrations of the collective approval for frontier Big Men were repeated in similar station names to Boonesborough throughout this period. Craig Thompson Friend has asserted that of the 122 stations in central Kentucky by the mid-1780s, 118 were named for the property holder. But naming went beyond who owned the land. Residents informed John Dabney Shane of some stations being settled through leases from a landholder such as Levi Todd or John Bowman. However, the naming of stations arguably reflected the dominant local authority figure within a community, and the collective approval legitimised traditional or charismatic authority regardless of the different types of 'station' present.[10]

A station such as Boonesborough resembled a military stockade despite being a collection of cabins with palisaded walls filling the gaps between them. Such a station could house numerous families on a consistent basis. Other stations, such as Strode's Station, however, were merely blockhouses or a smaller stockade where settlers could retreat to in times of threat from their outlying cabins (Fig 6.2).[11] All, however, provided a point of focus for a community in the wilderness, and naming such stations after the local authority figure furthered increased identification with such space. For many it made parts of the wilderness less alien. The Kentucky landscape was dotted with examples of the collective approval for the frontier Big Man, as aside from Harrodsburg and Boonesborough, Strode's, Whitley's, Kenton's, Estill's, and McClelland's Stations were among those whose

[9] JDS interview with Sarah Graham, DM12CC45-53. Journal of Col. Richard Henderson, March 20 – July 12, 1775, DM1CC36-40. JDS Scrapbook, DM26CC76-77. George W Ranck, *Boonesborough: Its Founding, Pioneer Struggles, Indian Experience, Transylvania Days, and Revolutionary Annals* (Louisville: John P. Martin & Company, 1901). 20. Neal O. Hammon, "The First Trip to Boonesborough," *The Filson Club History Quarterly* 45, no. 3 (1971): 259-60.

[10] JDS interview with Wymore, DM11CC130. JDS interview with John Hedge, DM11CC19-21. JDS interview with Mr Wigginton, DM11CC24. Friend, *Along The Maysville Road*: 17. Perkins, *Border Life*: 123.

[11] JDS interview with Henry Parvin, DM11CC173.

communities commemorated their leaders whether Big Man or gentleman. The extent of such collective approval went beyond the inhabiting of a station as the commemorations continued well after a local authority figure ceased inhabiting the same area. Boonesborough retained its name despite Boone only living in the vicinity until 1779; John Strode likewise, continued to be associated with Strode's Station long after he had ceased residing there. Upon leaving Boonesborough after his court-martial, Boone founded another 'Boone's Station' with his brother Squire nearer the Kentucky River.[12] Stoner's Trace and Stoner Creek (after Michael Stoner), Dick's River, and Boone's Trace similarly recognised the local importance of the frontier Big Man by associating them with land marks as well as settlements. Such commemoration served to connect the fragmented settlements across the wilderness and provide reference points to migrants in absence of extensive man-made structures, particularly roads. Commemorating and continuing to associate settlements with frontier Big Men through the first decade of Kentucky's settlement may have helped settlers define their initial hold on the landscape. However, the act of naming provided an avenue to express collective approval, and therefore legitimacy on frontier Big Men as authority figures. While not all prominent local citizens based their understanding of authority on charismatic ideals – such as the connotations between stations and issues of leasing and tenancy – the presence of stations named after frontier Big Men does display the weakness of traditional models of authority in the early decades of settlement; in the process acknowledging the legitimacy of charisma. However, despite these efforts in defining 'place' in Kentucky, the gentry's gradual introduction of customary, traditional norms also made use of commemorating space to tie the region into wider, traditional understandings of authority.[13]

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[12] The continued association these stations had with their Big Men founders can be seen in interviews conducted by John Dabney Shane throughout the 1830s and 1840s. In many of these interviews John Strode was still associated with Strode's Station decades after he had ceased living there. Some of the interviews to include references to Strode's Station include: JDS interview with Isaac Clinkenbeard, DM11CC11-41. JDS interview with Jesse Kennedy, DM11CC9-10. JDS interview with John Rawkins, DM11CC81-83. JDS interview with Henry Parvin, DM11CC172-175. JDS interview with John Hanks, DM12CC138-44. Craig Thompson Friend, *Kentucke's Frontiers* (Bloomington & Indianapolis: Indiana University Press, 2010). 76-77, 89. Perkins, *Border Life*: 123. Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore and London: The Johns Hopkins University Press, 1996). 36.

[13] JDS interview with James Hedge, DM12CC117-120. JDS interview with Thomas Easton, DM11CC95-97. Friend, *Along The Maysville Road*: 17-18. Perkins, *Border Life*: 41-79.

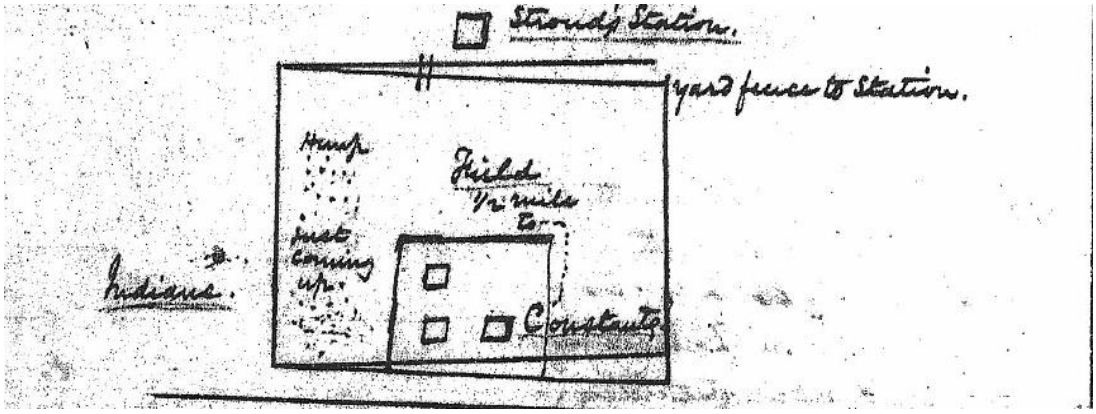

Figure 6.2. Plan of Strode's Station. JDS interview with Henry Parvin, DM11CC173. Image courtesy of the SHSW.

The formation of Kentucky County in January, 1777 sowed the seeds for the gradual development of traditional authority in the region. Future county formations reflected this process, as well as the commemorations which came with these new names on the landscape. As discussed in the preceding chapter, county formation created greater social organisation in terms of office-holding, defined the criteria for these offices, and therefore the criteria for authority. County formation helped to establish the institutions necessary for traditional authority such as the militia and political offices. However, when investigating the further county organisations in Kentucky between 1777 and 1799, a trend occurs emphasising the efforts to establish an acceptance of traditional authority structures in the region. While such formations provided a legal-rational framework for authority and allowed the creation of an established order, the names provided for future settlements show the efforts of this order to tie Kentucky to wider understandings of authority. Between 1780 and 1799 forty-two counties were formed through the subdivision of existing county organisations. While the commemoration of stations recognised local Big Men, this was not the case in the wider county commemorations. Beginning with Fayette, Jefferson, and Lincoln counties in 1780, thirty-six counties were named to recognise prominent Virginians, Revolutionary War heroes, and members of the established order; five reflected the local landscape; and only one, Boone County organised in 1798, recognised a charismatic Big Man.[14]

County commemorations, and a renaming of space, were significant in that they represented the gentry legislators' appropriation of a Revolutionary heritage to shape a

[14] Figures compiled from the county histories contained within: Lewis Collins and Richard H. Collins, *Historical Sketches of Kentucky: Embracing Its History, Antiquities, and Natural Curiosities, Geographical, Statistical, and Geological Descriptions; with Anecdotes of Pioneer Life, and More than One Hundred Biographical Sketches of Distinguished Pioneers, Soldiers, Statesmen, Jurists, Lawyers, Divines, Etc*, 2 vols., vol. 2 (Covington: Collins & Co., 1874).

republican identity in the region. The calculated nature of creating such a republican identity can be seen in the case of Fayette County. Named in honour of the Marquis de la Fayette and French military support, the county was formed alongside Jefferson (Thomas Jefferson) and Lincoln (General Benjamin Lincoln) in 1780, with the breakup of Kentucky County. In 1785, the Virginia Assembly sub-divided Fayette to form Bourbon County, commemorating the French ruling family and further recognising French support during the Revolution. In 1788, Bourbon was eventually divided to create Mason County, honouring George Mason, a signatory of the Declaration of Independence and member of the Virginia elite. The national and republican commemorations were further exemplified upon Kentucky statehood as the established order sought to maintain their connection with the revolutionary generation. The first county formed in the new state of Kentucky honoured General George Washington.[15] Legislators, realising that harnessing identity began with place-naming, did not stop demonstrating their ideals with county formation. Many of the stations and settlements founded by the first pioneers were renamed or 'gentrified' to reflect the views of the established order and contribute to the acceptance of traditional norms in Kentucky. Boonesborough had already received a grander moniker from Richard Henderson, but along with Harrodsburg the early settlements were far from alone. Kenton's Station, built where the mouth of a creek and a buffalo trail met the Ohio River, was renamed twice during the 1780s. As the population grew the new settlement was first renamed Limestone after the Limestone Creek. By 1788 the village was officially designated the seat of the new Mason County and was renamed 'Maysville' after land magnate John May, an original claimant to the land the village developed on. Similarly, Fort Nelson, established at the Falls of the Ohio, developed into Louisville, the Jefferson County seat and a further demonstration of the French Revolutionary alliance. Yet the transition from pioneer station to county seat, and the legitimacy of traditional authority, was most clearly exemplified in the central Bluegrass and Fayette County in particular.[16]

In June, 1775, William McConnell and a party of hunters established a small cabin as foundation for title to land on Elkhorn Creek. Known as McConnell's Station, the site was

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[15] Ibid., 2: 66-83, 169-229, 355-95, 468-78, 545-93, 748-53. Friend, *Along The Maysville Road*: 92-95.

[16] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 10 (Richmond: J&G Cochran, 1822), 316. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 12 (Richmond: George Cochran, 1823), 633, 58. Friend, *Kentucke's Frontiers*: 188.

also christened 'Lexington,' as news of the engagement in Massachusetts had just reached the region. Despite the presence of a cabin and a name which reflected national events, Lexington would not be permanently settled until 1779 when Robert Patterson led the construction of Fort Lexington. By the following year the forty-seven lot holders joined together to plan a town grid. Within three years of the foundation of the fort the Virginia legislature recognised Lexington as the seat of Fayette County. With its central Bluegrass location, Kentucky's largest town began to represent refinement for the increasing population.[17] The development of Lexington, and the position it would have as a focal point for elite migrants, highlights the growth of acceptance for traditional authority in the region and how such authority was wielded in shaping such development for the benefit of the established order. The preceding chapter discussed the extent to which an established order was created through the control of political institutions in the new towns and counties and what legitimised such authority. Equating office-holding with property values and landholding certainly furthered an acceptance of traditional norms in the region; only those who met the traditional criteria could legitimately hold authority. However, through place names the established order could further this political domination and fostered an environment which supported traditional claims to authority. Lexington, Louisville, Maysville, and Paris as county seats, were the focal point of authority in Fayette, Jefferson, Mason, Bourbon counties.

Despite the changes which occurred to the names of stations and forts, which was undertaken by elite politicians, it took many years for the likes of Paris and Maysville to take hold in the public consciousness. The renaming of Limestone exemplified such differences between elite ideals and public commemorations. As aforementioned, Limestone had been renamed Maysville after John May in 1788, yet the original name lingered in the collective memory for decades. Both Victor Collot and François Michaux referred to the town as Limestone in their travel accounts in 1795 and 1802 respectively.[18] Likewise, oral historian John Dabney Shane encountered settlers continuing to refer to the

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[17] William Waller Hening, ed. *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 11 (Richmond: George Cochran, 1823), 100-01. George W Ranck, *History of Lexington, Kentucky: Its Early Annals and Recent Progress, Including Biographical Sketches and Personal Reminiscences of the Pioneer Settlers, Notices of Prominent Citizens, Etc., Etc.* (Cincinnati: Robert Clark & Co., 1872). 18-31.

[18] Collot, *Journey in North America*, 1: 97-98, 104. Reuben Gold Thwaites, ed. *Early Western Travels, vol. 3: Andre Micheaux's Travels into Kentucky, 1793-1796: Francois Andre Micheaux's Travels west of the Alleghany Mountains, 1802: Thaddeus Mason Harris's Journal of Tour Northwest of the Alleghany Mountains, 1803*, 30 vols., vol. 3 (Cleveland: A.H. Clark Co., 1904), 196.

original name into the 1840s. As well as continuing to refer to Limestone over Maysville, a number of those interviewed by Shane referred back to the original station names rather than their contemporary monikers.[19] Despite the recollections of ordinary settlers, by honouring national heroes and events traditional ideology and customs were imprinted on the landscape in the form of towns and counties. Such place names 'became monuments in the wilderness,' in essence reflecting the legitimacy of traditional authority by associating the landscape with the wider republican ideals of the gentry. Connecting these county seats would further exemplify the authority of the established order, and how traditional norms were furthered through the experience of this developing landscape.[20]

Roads, Rivers, and Connecting Space

The naming of settlements and counties reflected the increasing influence of a traditional model of authority in Kentucky and demonstrated the political monopoly of the established order. Yet, these settlements were often connected by little more than trails through the wilderness, often proving difficult and dangerous for unaccustomed travellers. For the earliest settlers animal trails were a logical choice to follow as they invariably led to the basic necessities of food and water. In essence, these trails provided a rudimentary road system, albeit a system that was difficult to navigate and at times served to further isolate stations in the wilderness. The 'road' from Limestone to Lexington, a distance of nearly seventy miles, included a myriad of buffalo traces, many of which were poorly defined. Getting lost in such circumstances was a real concern for even experienced travellers. Spencer Records suffered such a fate after arriving at Limestone in the early 1780s. Unable to follow the correct trace to Bryan's Station, Records followed the Licking River until acquiring directions from a hunting party.[21] Records was not alone in his navigational difficulties. Benjamin Hardesty, likewise, became confused with the myriad of routes, taking multiple wrong turns. 'We got out of our road at the Lower Blue Licks, and got lost with our wagons before we got to Bryan's [sic] Station…were [sic] two weeks getting…from Maysville.'[22] Getting lost may have been a major concern for new arrivals, but during the 1770s and 1780s navigation was not the only threat on these ill-defined 'roads'. The fear of

[19] JDS interview with Captain Marcus Richardson, DM12CC153-155. JDS interview with Asa Farrar, DM13CC1-6. JDS interview with Mr and Mrs Darnaby, DM11CC164-167, 179. JDS interview with William Sudduth, DM12CC61-64. JDS notes on Imlay, DM14CC214-223.
[20] Collins and Collins, *Historical Sketches of Kentucky*, 2. Friend, *Along The Maysville Road*: 94. For a further discussion of the established order and Kentucky's political landscape see chapter five.
[21] Spencer Records' Narrative, DM23CC19-23.
[22] JDS interview with Benjamin Hardesty, DM11CC169.

what may be hiding behind the next corner filled many with dread at the prospect of travel for themselves and their families.[23]

In a deposition recorded in 1824, Simon Kenton explained the difference between traces made by animal movements and those made by Indians. Kenton asserted that Indian roads through the forest were distinguishable by markings and blazes on trees to denote direction and where the road led.[24] Buffalo traces on the other hand, found along ridges and creeks, tended to be wider and more beaten. James Wade and Benjamin Allen also stated that Indian trails were distinctive, at least to those who knew how to navigate in the woods, due to their markings.[25] These trails may have added to the rudimentary road system in Kentucky, but they were still heavily used by various Indian groups too. The fear of what lay on the road and the prospect of Indian attack, would have served to distinguish them from the 'civilised' station and the hostile wilderness. John Gass claimed 'it was a sign Indians were about, when the cows stood in the head of the lane and wouldn't go out.'[26] For Daniel Drake, 'the road' separated the sanctuary of the family farm from the woods where he was warned 'the Shawnee will catch you.'[27] The presence of Indians, or merely the fear of such presence, played an important role in how settlers perceived travel and the world outside of their Stations. Hubbard Taylor was forewarned of the prospect of Indian attack on the Wilderness Road in 1782, while Robert Breckinridge advised his brother John to wait two or three years before travelling due to the potential dangers.[28] Such fears, however, may have affected members of elite families more acutely. The poor road network and the perceived Indian menace effectively isolated Annie Christian and her children on their Bear Grass plantation, to the extent that travel to the nearest settlement at Saltsburg filled the family with dread. In letters to family in Virginia, Annie confided they were 'much afraid of the road from Saltsburg,' and 'never to think of coming through [sic] the wilderness to this country.' Annie Christian's fear of the potential Indian dangers may have been influenced by the death of her husband William, at the hands of the 'savages' in

[23] Collot, *Journey in North America*, 1: 104.
[24] Perkins, *Border Life*: 76.
[25] JDS interview with James Wade, DM12CC29. JDS interview with Benjamin Allen, DM11CC72.
[26] JDS interview with John Gass, 11CC11-15.
[27] Charles D. Drake, ed. *Pioneer Life in Kentucky. A Series of Reminiscential Letters from Daniel Drake M.D., of Cincinnati, to His Children* (Cincinnati: Robert Clarke & Co, 1870), 12, 20-25.
[28] Jonathan Hoomes to Hubbard Taylor, December 20, 1781, Hubbard Taylor Papers: Box 1-Folder 2, University of Kentucky Special Collections, Lexington, Kentucky (hereafter UKSC). Robert Breckinridge to John Breckinridge, August 29, 1788, Breckinridge Family Papers: Box 5, Library of Congress Manuscript Division, Washington, D.C. (hereafter LOC). Mary Hopkins Breckinridge to John Breckinridge, August 29, 1788, Breckinridge Family Papers: Box 6, LOC.

April, 1786, but such fears had a significant impact on how the landscape beyond the walls of the settlement played into concepts of legitimacy for authority candidates.[29]

The fear of travel, combined with the problems of navigation and the extra dangers posed by nature, added to the ways in which a charismatic Big Man could distinguish himself as a local leader. While such threats were high and routes remained indistinct, travel between stations can be understood as part of the hunting and militia culture which defined early backcountry leadership. Successfully navigating the myriad of animal and Indian trails represented a demonstration of skill and woodcraft. The Big Man's skills set him apart from other settlers; he had mastered travel in the wilderness. When considered alongside the threat of Indian attack or ambush on the trail between settlements, a willingness to travel also demonstrated the bravery of an individual. Much like Jacob Stucker's willingness to travel at night when his militia companions would not, or Simon Kenton carrying news between Boonesborough and Harrodsburg at the height of a raid, displaying a willingness to travel demonstrated the bravery necessary to set frontier Big Men apart from contemporaries.[30] However, such scenarios could only last as long as the threats and conditions to support them remained to legitimise such claims to authority. Travel during the early decades of Kentucky settlement was a dangerous and difficult prospect due to the potential threats and natural obstacles. William Fleming noted the deadly state of river crossings throughout the region during a visit in 1779. However, throughout the period of settlement, efforts were made to provide well-maintained roads and ferries and improve the main routes into the region. Such efforts were made not only to make navigation less treacherous, but also to increase the commercial opportunities for the region. Aside from the navigational issues posed by animal and Indian paths, they were also usually unsuitable for wagons or heavy loads. By the 1790s keelboats were delivering goods to Maysville from eastern merchants on a monthly basis, meaning suitable roads

[29] Annie Christian to Elizabeth Christian, May 11, 1788, Hugh Blair Grigsby Collection: Christian and Fleming Family Papers, Section 129: Folder 1, Virginia Historical Society, Richmond, Virginia (hereafter VHS). Annie Christian to Anne Fleming, September 13, 1785, Christian and Fleming Family Papers, Section 133: Folder 1, VHS. Annie Christian to Anne Fleming, April 30, 1788, Christian and Fleming Family Papers, Section 133: Folder 2, VHS. Annie Christian to Elizabeth Christian, April 12, 1787, Christian and Fleming Family Papers, Section 129: Folder 1, VHS.

[30] Daniel Trabue Narrative, DM57J123-124. George Rogers Clark, Lyman Copeland Draper, and State Historical Society of Wisconsin, *George Rogers Clark papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]). Perkins, *Border Life*: 97-99. Friend, *Kentucke's Frontiers*: 76. David D. Gilmore, *Manhood in the Making: Cultural Concepts of Masculinity* (New Haven: Yale University Press, 1990). For a further discussion of hunting and masculine identity, and for a full account of Jacob Stucker, see chapters three and four.

were essential for Kentucky's commercial development. Yet commercial development was merely one of the goals for those seeking to improve Kentucky's infrastructure.[31]

The state of Kentucky's travel network had been a concern for elites within the region almost from the moment that settlement began. The Virginia Assembly passed legislation to improve conditions along the Wilderness Road as early as 1779, with efforts to improve the internal networks following. The legislation reflected Virginian societal roles. Under the acts passed by the Virginia assembly, provisions for the creation and upkeep of transportation networks and infrastructure were coordinated by county officials.[32] Precedent from 1657 required that counties appoint a surveyor to oversee any maintenance and upkeep of the roads and bridges on a yearly basis. It was the responsibility of these surveyors to ensure the maintenance was carried out by the community.[33] By the late eighteenth century the efforts at yearly maintenance had acquired a similar social importance to militia duty; in Ohio participation in the maintenance of the state's roads qualified many men to vote in elections.[34] Not only would this service requirement allow for local citizens to perform civic duties, but it also fostered an acceptance of traditional authority and social structures. The goal of the legislation may have been to improve the infrastructure of the region, but how the work was carried out and who was deemed eligible for such duties, reveals an increased stratification within the social hierarchy. Improving the transport network benefitted the economic development of the region and economic benefits were certainly at the forefront of the minds of some members of the established order, such as Alexander S. Bullitt. Yet, improving transport networks provided multiple benefits to the established order by the 1790s. Not only did enacting the legislation and directing maintenance offer a chance to wield authority, but the labour divisions of such work reinforced traditional notions of hierarchy, legitimising elite authority on the basis of a higher position on the social ladder. However, perhaps most telling is the argument that improving the transportation network of Kentucky further eroded the legitimacy of charismatic frontier Big Men. Such improvements eroded the

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[31] William Fleming's Journal, Kentucky, 1779-1780 – February 3, 1779, DM2ZZ75[2]-75[3]. Draper and State Historical Society of Wisconsin, *Virginia papers*. Craig Thompson Friend, "Merchants and Markethouses: Reflections on Moral Economy in Early Kentucky," *Journal of the Early Republic* 17, no. 4 (1997): 560-61.

[32] Hening, *Statutes at Large*, 10: 143-44.

[33] *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 1 (New York: R. & W. & G. Bartow, 1823), 463.

[34] Donald J. Ratcliffe, *Party Spirit in a Frontier Republic: Democratic Politics in Ohio, 1793-1821* (Columbus: Ohio State University Press, 1998). 71-72.

importance of navigation and woodcraft and gave less opportunity to distinguish oneself through such actions.[35]

The importance of well-maintained roads and bridges were clearly of high importance to the new established order, as well as an assertion of authority from civic offices after Kentucky County was subdivided from 1780 onwards. Not only was the position of road surveyor an appointment made by county officials, but such a position was subject to prosecution if the bearer was deemed negligent in fulfilling their duties. Kentucky District Court Judges, Harry Innes, Caleb Wallace, and Samuel McDowell heard numerous cases against surveyors of roads within Kentucky due to their poor upkeep. Cases against the surveyor responsible for the road between Whitley's Station and Englishes Station were active between 1783 and 1786, continually referencing the poor state of the road and its lack of maintenance. Similar issues were repeated throughout the 1790s.[36] With the frequency of Indian raids up to 1794, and the seemingly constant need for militia service, it was little wonder that the efforts to improve the transport network within Kentucky suffered from the lack of regular maintenance. However, by 1785 an act had been passed requiring all males over the age of sixteen to complete three days of road maintenance per year, although legislators preferred to leave the regulation and enforcements to the respective county courts. The upkeep of the road between Maysville and Lexington is a prime example of the importance of local authority in improvements to infrastructure, with each local authority having responsibility for a different section of the upkeep and maintenance.[37] Despite the potential for local interests to dictate the course of roads and the frequency of maintenance, the calls for improvements came from this new established order of Kentucky society. When viewed alongside other societal roles which placed an emphasis on civic duty, taking part in improving infrastructure has parallels with the developments in militia service through the 1790s. Redefining participation as a

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[35] Craig Thompson Friend, "Inheriting Eden: The Creation of Society and Community in Early Kentucky, 1792-1812" (PhD Thesis, University of Kentucky, 1995), 85.

[36] First Order Book of the Kentucky District Court, 1783-1786, 14-15, 160, 314, 382-385. (microfilm) UKSC. Harrison County, Quarter Sessions Order Book, 1795-1800 (microfilm), Kentucky Department of Libraries and Archives, Frankfort, Kentucky (hereafter KDLA).

[37] The fractured nature of the upkeep on the main route between Maysville and Lexington can be seen in legislation passed concerning the regulation of Lexington in 1796. Section 11 of this act stated that the jurisdiction of Trustees in road upkeep extended to the town limits only; out-with this area responsibility fell to the county-appointed surveyors. William Littell, ed. *The Statute Laws of Kentucky; with Notes, Praelections, and Observations on the Public Acts*, 3 vols., vol. 1 (Frankfort, KY: William Hunter, 1809), 576. The recollections of Mr Darnaby also reflected the different groups involved in improving the Maysville Road. Darnaby recalled to John Dabney Shane that 'the road was laid out by some men and different companies worked on it, some on one part and some on other parts. I didn't go all the way there to Limestone.' JDS interview with Mr and Mrs Darnaby, DM11CC164.

requirement rather than a voluntary service provided an expression of traditional authority and a deferential structure to the social hierarchy.[38]

As argued in chapter four, as militia service evolved into a requirement rather than a voluntary necessity the nature of command changed with it, becoming more formal and deferential. With this change the presence of more charismatic frontier Big Men in positions of legitimate social authority became less frequent, pointing to a shift in how hierarchy was understood. Road maintenance, like militia service, was initially a voluntary service which gave settlers an opportunity to serve their communities. The county courts may have appointed surveyors to supervise the work in much the same manner that state appointments legitimised militia officers, but the act of improving the rough traces and waterways was carried out by the settlers themselves.[39] With legislation road clearing became much more formal in organisation. In terms of citizenship, such maintenance was particularly important in frontier regions, and as aforementioned was enough to give many men voting privileges in Ohio. The formality of this civil requirement and the ways in which a deferential structure was re-established in Kentucky, is apparent in the labour division of road maintenance; as well as the symbolic act of the maintenance itself in ordering the landscape and limiting the arena for charisma.[40] Following animal trails and river-ways may have posed difficulties for those settlers not experienced with navigation in the woods, yet these early trails invariably led to fresh water and game. Following the game therefore brought the first settlers to areas where they could find the necessities for settlement. The act of clearing and widening a road may have been seen as performing a community service by the later 1780s, yet it can also be understood as a basic act of 'cultivating a country.' In participating in improvements frontier Big Men were helping to draw distinctions between the worn animal paths of 'the frontier' and the 'civilised' road, thereby helping to remove one of the arenas where they could display their abilities and legitimise authority through charisma.[41]

The 'natural roads' which meandered their way through the Kentucky wilderness provided frontier Big Men with an avenue to demonstrate their leadership and gain

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[38] For a more detailed discussion of the ways in which militia participation reflected social understandings of hierarchy and legitimate authority, and the changes which took place during the 1790s see chapter four.

[39] Lewis Collins and Richard H. Collins, *Historical Sketches of Kentucky: Embracing Its History, Antiquities, and Natural Curiosities, Geographical, Statistical, and Geological Descriptions; with Anecdotes of Pioneer Life, and More than One Hundred Biographical Sketches of Distinguished Pioneers, Soldiers, Statesmen, Jurists, Lawyers, Divines, Etc*, 2 vols., vol. 1 (Covington: Collins & Co., 1874). 537. Friend, "Inheriting Eden," 85-87.

[40] Ratcliffe, *Party Spirit*: 71-72.

[41] Perkins, *Border Life*: 74-75. Friend, *Along The Maysville Road*: 25-26.

collective approval alongside hunting and militia service. However, the 'artificial roads' still gave some charismatic Big Men an opportunity to wield authority by directing construction and maintenance, as there was little early provision for determining who organised communities for the necessary work. Like the militia, as the service became more associated with civic duty and republicanism residents of high status increasingly demonstrated their political authority and were elected to supervise such work. Certainly, after statehood in 1792 much of this change may be down to the role that state officials played in instigating more regulated maintenance. Yet, with the local needs dictating the actual work it is perhaps unsurprising that it was local leaders who monopolised the positions of authority to direct the work, as it was these groups who stood to benefit the most, both socially and economically.[42]

From the late 1770s local elites sought to gain economically through proposing improvements to the transport network to and within Kentucky. In October, 1779, Richard Callaway used his position as a representative to the Virginia assembly to gain a licence for the operation of a ferry across the Kentucky River from Boonesborough. Not only would this ferry improve travel, but Callaway ensured that his family would especially benefit from the location and income of the ferry. The licence was granted to 'Col. Richard Callaway, his heirs or assigns, so long as they should well and faithfully keep the same.'[43] Securing the ferry would have helped to boost Callaway's economic and social prominence around Boonesborough with fees set at three shillings per man and the same per horse. The provision securing the benefit for his family was a fortunate inclusion for Callaway, however, as any social position the licence gave him was short lived. In March, 1780, while constructing the ferry along with his slaves, Callaway was ambushed by Indians, scalped, disfigured and thrown into a ditch, no doubt as retaliation for his role in the defence of Boonesborough the previous Fall.[44] While the effort to improve the infrastructure of Kentucky may have ended badly for Callaway, that he used his position to secure a ferry licence for himself demonstrates the ways in which authority figures could use social improvements to wield authority and strengthen their own social standing. Ensuring that roads were cleared and smoothed with a width of thirty feet would not only make it easier to transport wagons of goods between settlements and beyond, but people as well. The elites in each locality sought to not only 'improve' the worn paths through the wilderness, thereby restricting the domain of the charismatic frontiersman, but create their own

[42] *Along The Maysville Road*: 25-26.
[43] Collins and Collins, *Historical Sketches of Kentucky*, 1: 542.
[44] Robert Morgan, *Boone: A Biography* (Chapel Hill: Algonquin Books of Chapel Hill, 2008). 299.

routes. These routes, rather than connecting the settlements, sought to connect commercial centres and display the gentry dominance of a 'cultivated' countryside.[45]

By the late 1780s and into the 1790s the influence this new established order would have in shaping the Kentucky landscape was increasing. The arrival of more settlers with connections to the gentry society of Virginia also influenced a greater acceptance for traditional authority in the region, providing legitimacy for elite authority. The improvements to the travel routes reflected the increasing authority this group were able to wield through a dominance of public offices. The main overland artery connecting Kentucky to Virginia through the Wilderness could hardly be referred to as a road for much of this period, yet, from the late 1770s proposals had circulated for provisions to create a suitable wagon road along the route. By 1795, these efforts on both sides of the Cumberland Mountains, had led to legislation to radically improve the quality of the route, with dreams of it becoming part of a circular route through central Kentucky to the Ohio River. The Virginia assembly had appointed Richard Callaway and Evan Shelby to chart out a new road across the Cumberland Mountains in October, 1779, initially as a higher quality replacement for Boone's Trace. By 1790 the assembly legislated for maintenance and repair to the existing road 'leading through the Wilderness to the district of Kentucky.'[46] Among the 'gentlemen' appointed as commissioners responsible for the direction of such works were Harry Innes, Isaac Shelby, and Samuel McDowell with the goal of the work to improve the communication between Kentucky and Virginia. This was continued with an act in late 1792, which made provisions solely for the improvement for the Virginia section of the road. The new Kentucky legislature enacted similar legislation for their section of the road following statehood, and the decision of who would coordinate the upgrade highlights the lessening social position and authority of the frontier Big Man.[47]

The November 1795 session of the Kentucky legislature opened with an act to upgrade the existing route between the Crab Orchard and the Cumberland Gap into a 'good waggon road to Virginia.' The governor held the authority to appoint three men of 'integrity and responsibility' as commissioners for the upgrade, with the appointees given the authority to hire the labour and ensure that the upgraded route was fit for the safe

[45] It should be noted at this juncture, that improving the road during this period merely required the removal of stones and other obstacles and smoothing any tree stumps. Once completed, the path would be 'levelled' with a covering of soil.
[46] Hening, *Statutes at Large*, 10: 143-44.
[47] *The Statutes at Large; Being a Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifth Day of February, One Thousand Eight Hundred and Eight.*, 13 vols., vol. 13 (Philadelphia: William Brown, 1823), 184-85, 544.

travel of wagons. While the route through the wilderness had been in place for nearly two decades, it was only with these improvement efforts that it could truly be referred to as 'the Wilderness Road.'[48] Isaac Shelby, governor of Kentucky, came from inauspicious beginnings and had built much of his early reputation as a charismatic Big Man, displaying his military ability during the Revolution. However, after arriving in Kentucky during 1781, and renowned for his role in the Battle of King's Mountain, Shelby quickly set about developing his pre-emption claims and speculated in land. By the 1790s he had married into the prominent Hart family, and begun to build on his previous political involvement in North Carolina as the statehood conventions got underway. Shelby was no longer a charismatic Big Man. By 1792 he had been accepted among the established order and legitimised his claim to authority through traditional criteria.[49] His appointees as the men of 'integrity and responsibility' are distinctive and telling in as much as who sought the positions and were ignored, as those Shelby eventually appointed. In February, 1796, the governor received a letter regarding the proposed upgrade from Daniel Boone. Boone, who had known Shelby for many years, sought to introduce his suitability for supervising the proposed work. In the letter Boone argued that as he 'first Marked out that Rode in March 1775,' he was entitled to bid for the new contract. Boone admitted to Shelby that he was 'no Statesman' rather, a 'Woodsman and think My Self as Capable of Marking and Cutting that Rode, as any other man.'[50] This letter serves as a significant example of the changes that had taken place in defining what constituted legitimate authority in Kentucky by the 1790s. In the 1770s and 1780s, Boone had been active in Kentucky's command structure as the embodiment of the charismatic frontier Big Man. It was during this period that Boone attempted to transfer this reputation as a woodsman into a career in land surveying and speculation, with limited success. However, it is clear from his attempts to secure a contract on the Wilderness Road, that the once prominent frontiersman had been unable to maintain his previous authority, reduced to almost begging on his past experience. However, Boone's experience with cutting rough traces through the wilderness was no longer the required form of skill and experience. The type of route envisioned by the established order was not the worn buffalo path but a wide, level route fit for wagons and carriages. It is almost unsurprising that the appeal to Shelby received no recorded reply.[51]

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[48] Littell, *Statute Laws of Kentucky*, 1: 275-77.
[49] Collins and Collins, *Historical Sketches of Kentucky*, 2: 713-20.
[50] Ibid., 242.
[51] Morgan, *Boone*: 385.

Boone's efforts to secure some semblance of social authority through his offer of service to upgrade the Wilderness Road failed due to the changes which had taken place in what constituted 'legitimate authority'. With the exceptions of Isaac Shelby and Benjamin Logan – both of whom had always retained a closer allegiance to a traditional model of authority – the most prominent frontier Big Men who based their legitimacy on demonstrations of skill and bravery, were increasingly absent from political and civic roles. Boone's unsuccessful attempts to organise the upgrade of the Wilderness Road mark another example in this change in understanding. Such a change can be partly attributed to appeals regarding a new republican rhetoric and social order in an effort to alter the political and social hierarchy.[52] Such an interpretation is supported by how political authority was legitimised in Kentucky during this period. Legitimate authority is defined through collective approval and such approval was no longer secured by appeals to masculine displays of bravery and dramatic action; rather it was secured by appeals to civic virtue and improvement.[53] Boone invoked his former abilities as an experienced frontier leader in an effort to secure the Wilderness Road contract. However, Shelby instead appointed Joseph Crockett and James Knox as commissioners for the work. While Crockett and Knox certainly had similar frontier experience to Boone, by the 1790s both men had adopted traditional understandings of authority and therefore would have represented better candidates. This is certainly true for Knox, who by the 1790s had left his past as a frontier hunter behind him, and associated closely with prominent judges and landowners such as Humphrey Marshall and Robert Wickliffe.[54] In October, 1796, Crockett and Knox announced in the *Kentucky Gazette* that the new road now afforded emigrants 'a certainty of being supplied with every necessity of life,' on a road that could easily carry wagons with one ton of weight. Yet, the Wilderness Road was not the only route which the gentry sought to shape, and each new upgrade presented elites with an opportunity to further distinguish themselves from frontier settlers.[55]

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[52] Friend, *Along The Maysville Road*: 80.

[53] Peter M. Blau, *Exchange and Power in Social Life* (New York: John Wiley & Sons, Inc., 1964). 127, 200-02.

[54] Robert Wickliffe to Lyman Copeland Draper, December 25, 1843, DM5C47-48 (hereafter LCD). Wickliffe to LCD, January 28, 1849, DM5C54-54[7]. Wickliffe to LCD, November 18, 1848, DM5C50-50[2]. Wickliffe to LCD, November 25, 1850, DM5C56-56[7]. JDS interview with Robert Wickliffe, Sr., DM15CC83-86. Daniel Boone, Lyman Copeland Draper, and State Historical Society of Wisconsin, *Daniel Boone papers*, The Draper manuscripts ([Madison, Wis.]: State Historical Society of Wisconsin; Cambridge: Chadwyck-Healey [distributor]).

[55] *The Kentucky Gazette*, October 15, 1796, 5. Digitised scans of the *Kentucky Gazette* from 1787 to 1840, can be accessed online from: "Kentuckiana Digital Library," http://kdl.kyvl.org.

Efforts had been made throughout the late 1780s and into the 1790s to improve the route between Maysville and Lexington into a wagon road as an effort by some to maintain Lexington as the commercial and cultural centre of Kentucky, especially after the new state capital had been located in Frankfort. By 1789 a section of the road near the Lower Blue Licks was referred to as a 'waggon road,' and that improvements to the quality of the route could be seen by settlers arriving at Maysville by the early 1790s. Whereas many migrants had struggled to navigate the rough trails towards Lexington in the 1780s James Hedge recalled wagons awaiting new arrivals in 1793, indicating that the road had undergone significant improvement over the previous decade.[56] For the most part these improvements were made to the existing road network where possible. Ned Darnaby recalled following the 'Indian trace' while working on the route in the 1780s and Jacob Boone, Joseph Davey, and George Wood proposed upgrading the route further in 1794, using the existing road as a guide.[57] However, while some existing roads were upgraded, members of Kentucky's established order also advocated the creation of new roads connecting potential centres of commerce and authority throughout the region. One of the first acts of the new state legislature provided for the creation of a road between the new state capital Frankfort, and Cincinnati, in December 1793. Bennett Pemberton, Nathaniel Sanders, and Daniel Weisiger were named as commissioners for the proposed road, with the legislature stating that a road between Frankfort and Cincinnati would be 'both productive of private convenience and public utility.' But, whereas the state and county authorities proposed these acts for the benefit of 'public utility,' the actual construction and use of the improved routes highlighted the growing differences between the elites and the rest of the population, and offered a way for these elites to further publically demonstrate their authority.[58]

The hierarchy of Virginian society during the eighteenth century highlighted how someone experienced the landscape greatly depended on their social position. The different social groups, such as slaves, common planters, and the gentry would have experienced differing connections with roads at this time. A similar argument can be made for Kentucky roads by the end of the eighteenth century; not only in how different groups travelled these new routes, but in the divisions of those who instigated improvements and

[56] JDS interview with James Hedge, DM12CC117-120. JDS interview with Benjamin Hardesty, DM11CC169-171. JDS interview with Mr and Mrs Darnaby, DM11CC164-167, 179.
[57] Surveyor's Notebook, page 19: Folder 1, Kentucky Historical Society Special Collections, Frankfort, Kentucky (hereafter KHS). Jacob Boone, Joseph Davey, George Wood Petition, 26 August, 1794, Squire Boone Family Papers: Folder 1, KHS.
[58] Littell, *Statute Laws of Kentucky*, 1: 185-86.

those who carried out the work.[59] Provisions from the Virginia assembly had made road maintenance a civic duty for all males aged sixteen and over in 1785. Failure to complete this obligation resulted in fines of 7s 6d for each day's absence, and while this maintenance was cast as a civic duty, the provisions for excusing citizens from this work clearly revealed the structure of the social hierarchy by the 1790s, as well as further displaying an understanding of what constituted legitimacy as a member of the elite. One provision – which was rearticulated when the act was updated in 1797 – exempted any settler who could send two or more male slaves over the age of sixteen, in their place. Not only could this provision have contributed to the growth of slaveholding in the region, but it further benefitted those who already maintained sizeable slaveholdings.[60] Members of the established order could therefore exempt themselves from the labour requirements on the road upgrades they had legislated for, while further articulating the need for a minimum slaveholding for legitimate social authority. Another option would be to pay the required fine, which also would have benefitted those with the necessary labour to afford exemptions. Any middling settler attempting to advance his social position would need to have slaveholdings which exempted them from all forms of manual labour. While there were certainly a great number of settlers who owned one or two slaves, the provision for road maintenance required two or more male slaves over the age of sixteen. Many slaveholding settlers would not – even if they owned eligible slaves – have been able to spare the necessary numbers and still retain adequate labour for their own lands.[61]

Such disparity in ownership is apparent in the Mason County tax assessments from the 1790s. While there was a great number of settlers who held 'enough' slaves to exempt themselves from the required labour, demonstrated by the average county slaveholdings, it is likely that only the most successful members of the region in terms of economic success, landholding, and property ownership, would have been able to take advantage of the exemptions. Simon Kenton, the renowned Big Man, appeared regularly in the Mason County assessments as a slaveholder. However, across a three year period Kenton's holdings fluctuated greatly. From holding six slaves in 1791, the number rises to twelve the following year, before dropping again to four in 1793. Perhaps the most telling element

[59] Rhys Isaac, *The Transformation of Virginia, 1740-1790* (New York: W.W. Norton, 1988). 52-57.
[60] Littell, *Statute Laws of Kentucky*, 1: 633-39. Collins and Collins, *Historical Sketches of Kentucky*, 1: 537.
[61] From the discussion in chapter five, a brief overview of Fayette County's tax assessments for 1787 show that the average slaveholding among white males was 4.6. Yet, out of 1,485 taxable males, only 380 owned slaves. Such provisions contained within the legislation provided exemptions which two-thirds of the eligible males could not take advantage of. Fayette County Tax Assessments, 1787 (microfilm), KDLA.

about these figures is that in 1793 three of Kenton's four slaves are under sixteen, making them ineligible as substitutes. While Kenton's holdings rise again in 1795, the continuing fluctuation does present a clear indication that the once prominent frontiersman was struggling to maintain a social position in accordance with a traditional model of authority based in part on property ownership. However, such an analysis ignores the possibility that Kenton had moved his slaves to other landholdings outside of Mason County. Yet, if this was the case it would still demonstrate that Kenton's slaveholdings were not enough to provide sufficient labour for all his lands.[62] The tax assessments may make it easy to discern the number of slaves someone held, but they do not provide a full picture when attempting to display who was able to exempt themselves from road maintenance. While the assessments provide information on the age of slaves – columns for those aged sixteen and over, and those under in most instances – there is no record of the sex of these slaves. Therefore, while some frontier Big Men may have owned enough slaves over sixteen to spare some for road maintenance, there is no way to know if they owned enough male slaves based on the tax assessments. Despite this it is possible to make assumptions about members of the established order.

From the Fayette County tax assessments it is clear which members of society can be considered among the elite, especially when compared with those who monopolised the various social roles within their communities. It is also clear how many of these men would have been exempt from road maintenance based on slave ownership, despite the limits of the assessment books. The number of individual slaveholders in the county over a ten year period to 1797 provides for the identification of individuals who arguably achieved the necessary surplus of adult male slaves to utilise substitutes. It is unsurprising that many of these men were also those wielding authority within the county as well. For example, both Hubbard Taylor and Thomas Lewis, who represented Fayette County in the 1792 statehood convention, have adult slaveholdings of 15 and 12 respectively through the 1790s. John Breckinridge and his brother-in-law Samuel Meredith, also regularly appeared with sizeable numbers of adult slaves. With such overall figures, it is reasonable to assume that all of these men would have been able to send substitutes for their requirements and not greatly affect their plantation labour.[63] Therefore, by 1797 when the substitute

[62] Mason County Tax Assessments, 1791-1795 (microfilm), KDLA.

[63] Collins and Collins, *Historical Sketches of Kentucky*, 1: 354-55. Fayette County Tax Assessments, 1787-1797 (microfilm), KDLA. The respective slaveholdings for Hubbard Taylor, Thomas Lewis, and John Breckinridge for the years covering 1787-1797, are as follows (note that these include the years each individual appears): Hubbard Taylor (1791) – 28 (15 over sixteen); Thomas Lewis (1795) – 19 (12 over sixteen); John Breckinridge (1795) – 38 (15 over sixteen), (1797) – 46 (18 over sixteen);

exemptions were reinforced, the newly-established order were demonstrating the legitimacy of their authority by determining the course of any internal road improvements, and by defining the criteria necessary to exempt someone from the labour required in this civic duty. Not only does this display a traditional concept of authority based on a freedom from manual labour, but the improved travel conditions gave these figures greater scope to demonstrate social status on a more frequent basis and to a potentially wider audience.[64]

Shaping the Landscape and Genteel Display

Members of Kentucky's newly-established order may have used road maintenance to demonstrate their social position based on a freedom from labour, but by improving existing routes and providing for the creation of new ones, these men were making their success – and therefore their legitimacy as leaders – more visible. One of the clearest symbols of gentility to differentiate this group from 'ordinary' settlers was the coach. Fine horses and coaches were two items that most clearly provided this distinction in the social hierarchy for Virginian gentlemen. In emulation of the English gentry, the condition and quality of a gentleman's coach and horses communicated publically his ability to emulate an elite lifestyle and therefore legitimise social position. Between the beginnings of settlement and the end of the eighteenth century coaches were rare in Kentucky, and this exclusivity supports an argument that they were a luxury item, one which denoted status and social position.[65] Of the 1,485 taxable males in Fayette County in 1787 only 7 appear with carriages in the tax assessments. Of this number, only two – Joseph Crittenden and Edward Woolridge – are taxed for 4-wheeled carriages rather than 2-wheeled buggies. Even by the 1790s carriages appear only sporadically in the tax assessments, with only two owners appearing in Mason County's 1794 assessment. William Lightfoot owned one 4-wheeled carriage while Robert Coleman was taxed for a 2-wheeled version. The rarity of carriages reflected not only their position to elite status, but the poor quality of the internal travel network; it was difficult to travel in a genteel fashion through the wilderness.[66] While the possession of a coach or carriage could identify one's aspirations to the established

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Samuel Meredith (1792) – 26 (11 over sixteen), (1793) – 26 (11 over sixteen), (1794) – 25 (12 over sixteen), (1795) – 27 (13 over sixteen).

[64] For examples of the way in which slave ownership helped to define part of genteel status as freedom from manual work see chapter five.

[65] Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: The University of North Carolina Press, 1996). 274-75. Friend, *Along The Maysville Road*: 218.

[66] Fayette County Tax Assessments, 1787 (microfilm), KDLA. Mason County Tax Assessments, 1794 (microfilm), KDLA.

order, improved and suitably wide roads were needed to truly allow elites an opportunity to travel comfortably in their coaches. This displayed their status to anyone they would have encountered, as well as simultaneously removing themselves from unwanted interaction. As Kentuckians increasingly began to accept authority based on traditional criteria, those riding the improved routes in carriages, literally and figuratively looked down on those below them in the social hierarchy. Yet, the roads did not simply allow members of the established order to display their success through travel. The act of clearing and 'civilising' the road network also made gentry estates increasingly visible to passers-by.

While the new roads which emanated from Lexington, Frankfort, Danville, and Louisville provided greater opportunity for elite men to publically display their status, the improvements were also a calculated effort to stamp traditional concepts of hierarchy on the region. Through road improvements the established order – regarding themselves as Great Settlers – imprinted a genteel vision on the landscape, in the process weakening the legitimacy of the charismatic Big Man. By removing the voluntary aspects of road maintenance elites were dictating the terms of citizenship in the new state. The emphasis on civility as the quintessential quality of manliness dismissed the roles of dramatic action, bravery, and physical skill to legitimise a claim to authority. Even by the 1780s there were distinctions being made between settlers from different regions. Joseph Ficklin recalled gentlemen particularly stood out, and they continued to manifest their distinctiveness on the landscape.[67] The improvement of travel routes sought to remove vestiges of pioneer symbols and civilise the wilderness. In placing an emphasis on civic duty, this newly-established order furthered the acceptance of a traditional model of authority as a basis for legitimate collective approval in the region. As such they laid claim to authority as part of a natural meritocracy, demonstrated through the permanence of their imprint on the landscape.[68] Flanking these new Kentucky roads were the great houses of the gentry, clearly distinguished from the often semi-permanent dwellings of poor and ordinary settlers. Prominent Kentuckians, such as Levi Todd and David Meade, had gone to great lengths to create impressive dwellings and set themselves apart from more rustic neighbours. Todd's Ellerslie estate, built east of Lexington in 1787, was continually renovated and expanded to mirror the great houses of Tidewater Virginia and announce

[67] Robert Johnson to Governor Patrick Henry, December 5, 1786 in, William P. Palmer, ed. *Calendar of Virginia State Papers and Other Manuscripts, from January 1, 1785, to July 2, 1789, Preserved in the Capitol at Richmond*, 11 vols., vol. 4 (Richmond: R.U. Derr, 1884), 191. JDS interview with John Hedge, DM11CC19-20. JDS interview with Joseph Ficklin, DM16CC257. JDS interview with a woman in Cincinnati, DM13CC9.

[68] Friend, *Along The Maysville Road*: 70, 74, 76, 80, 81, 92.

the status of its owner. Ellerslie joined the Cabell's Dale estate of John Breckinridge and the Ashland estate of Henry Clay, in depicting the epitome of elite living in Kentucky. Their brick constructions displayed the level of luxury these men had obtained, as well as providing a more permanent structure than the pioneer log cabin. This permanence extended the legitimacy of traditional authority over the transient frontiersman.[69]

Brick construction not only gave a greater image of opulence and permanence on the landscape, but the estates also furthered acceptance of traditional norms. Brick reflected status in terms of status and construction quality. By the early nineteenth century Fortescue Cuming noted that there were several brick yards in Lexington, producing 2.5 million bricks annually.[70] The estates of the established order were designed to proclaim status and create distinctions from ordinary settlers. David Meade spent a great deal of money entertaining people in his home, while the home of John and Mary Breckinridge contained a reception hall for entertaining guests, with carpets, polished pine floors, and yellow wallpaper.[71] Many of these settlers would never see the opulence displayed in the interior of an Ellerslie or Ashland, but great lengths were taken to make these estates and mansions visible to passing settlers, even if the efforts attempted to cover any perceived deficiencies of the owners. Vistas were cut through the wilderness in order to make the estates visible from a distance, and the use of expensive material to 'order' the landscape provided a clear marker of the owner's success and social position. David Meade's mansion may have only gradually evolved from a log cabin into a structure which accommodated brickwork, but the expression of gentility in his estate was evident for all to see. The main structure of Meade's house may have remained of log construction, much to the owner's embarrassment, but the rural seat, eloquently named 'La Chaumière des Prairies,' contained an English landscaped garden complete with Grecian temple and Chinese bridge. The elaborate gardens, possibly an effort to detract attention away from the main house, were separated from the outside world by stone walls. The stone walls, despite having eminently practical purposes in terms of enclosing land, served to solidify legitimacy as a member of the established order. For travellers along these new and improved routes by the turn of the nineteenth century, the sight of stone walls would have been an automatic

[69] Aside from the houses built by elite settlers, many emigrants to the region recalled the architectural developments when interviewed by John Dabney Shane during the 1840s. JDS interview with Asa Farrar, DM13CC1. JDS interview with Major Bean, DM11CC105. JDS interview with Mr and Mrs Darnaby, DM11CC164-167. Perkins, *Border Life*: 101-02. Friend, *Along The Maysville Road*: 72-73.

[70] Fortescue Cuming, *Sketches of a Tour to the Western Country, Through the States of Ohio and Kentucky, etc.* (Philadelphia: Cramer, Spear & Eichbaum, 1810). 164-66.

[71] JDS interview with Dr A. Young, DM11CC234-236.

delineator of the status of the enclosed landowner. Construction required a number of years to complete, as well as the hiring of quarrymen and stonemasons; their appearance therefore pointed to someone with considerable financial means.[72]

Not all members of the established order succeeded in their efforts to project an opulent and genteel estate in the wilderness, and the financial undertaking broke the backs of many. David Meade found his financial resources severely drained by the development of Chaumière des Prairies and the 'humble' log house could not match the opulent gardens which surrounded it. In an effort to distinguish himself from the 'plebeian farmers' who surrounded him and fulfil a need for recognition, Meade almost lost the criteria which legitimised his social standing. Regardless of success, building country estates complete with their brick mansions, sculpted gardens and stone walls, visibly displayed status to passers-by. Those who exercised authority were displaying their legitimacy and permanence on the landscape. These permanent structures went beyond infrastructure and architecture, arguing for an understanding of authority based on social rank which contained the same permanence as their brick homes. The established order in Kentucky had, by the end of the eighteenth century, secured an acceptance of traditional authority to provide legitimate collective approval and limited the arena for charisma to be exerted. The impact this would have on the landscape and development of the region was combined with attempts to provide clear centres of gentility. The institutions of the established order would reflect a similar permanence on the landscape as their genteel estates.[73]

The 'gentrification' of the landscape did not stop with the renaming of towns and county seats to reflect more refined ideals. By the end of the eighteenth century the acceptance of traditional authority to legitimise and transform the nature of collective approval was most complete in the central bluegrass, and becoming increasingly entrenched elsewhere. The decision to place the new state capital in Frankfort certainly came as a shock to the citizens of Lexington, as the state's largest town had already begun the process of building a state house.[74] However, beyond such political decisions, Lexington

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[72] Perkins, *Border Life*: 101-02. Friend, "Inheriting Eden," 196. *Along The Maysville Road*: 73-74. For more on the employment of stonemasons and quarrymen in the central Bluegrass see: Stephen Aron, "'The Poor Men to Starve': The Lives and Times of Workingmen in Early Lexington," in *The Buzzel About Kentuck: Settling the Promised Land*, ed. Craig Thompson Friend (Lexington: The University Press of Kentucky, 1999).

[73] Fredrika Johanna Teute, "Land, Liberty, and Labour In the Post-Revolutionary Era: Kentucky as the Promised Land" (PhD Thesis, Johns Hopkins University, 1988), 157-58.

[74] Victor Collot felt that the decision to locate the state capital in Frankfort was justified, believing that 'in ten years this town will have twice the population and wealth of Lexington.' Frankfort was by

would retain its place as the cultural seat of the region, and throughout Kentucky the development of culture and refinement would help cement the acceptance of a traditional model to legitimise elite standing. By the late 1780s the establishment of 'genteel' society was well defined in Lexington, with a number of dance instructors opening schools to instruct elite children in the essentials. By 1788 Mary Coburn Dewees recorded a favourable first impression of the town, regarding the society as 'very agreeable' for refined migrants. By the end of the century, François Michaux recalled that during his stay in Lexington, seeing 'coarse and fine jewellery' among the goods imported from England, French 'silk,' and coffee from the Caribbean. The difficulty of transporting these goods from Philadelphia and Baltimore, however, and the expense involved, are noted in Michaux's assessment that the 'poorer class' have difficulty accessing such items. Those who had the necessary credit, however, purchased such luxuries. Between March and November 1795 for instance, Keturah Leitch purchased over £190 worth of goods, including sugar, various types of ribbon, and silks from John Fowler.[75] Elements of this 'agreeable' society could be found elsewhere in Kentucky during the same period. However, the concentration of the elite order within Lexington arguably set the tone for other growing towns.

Despite Stephen Aron stating that Lexington's rise as a bastion of gentility in Kentucky was achieved alongside growth as a manufacturing and market centre, the development of elite institutions with which to enforce a sense of natural aristocracy cannot be ignored.[76] The establishment of Transylvania University in Lexington can be placed into the wider social and economic context, and the institution's board of trustees reflected the wider authority of Kentucky's new established order.[77] Initially chartered as Transylvania Seminary in 1783, and the first institution of its kind in Kentucky, it was founded on 8,000 acres of land donated from prominent citizens, many of whom served as trustees. Among these trustees, Caleb Wallace, Christopher Greenup, James McDowell, and Levi and Robert Todd formed the core of the institution's early board, which also included Isaac Shelby, Benjamin Logan, George Rogers Clark, and John May among others. The

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no means the only alternative for the capital. William Calk was one of a number to petition for the state capital to be located in Boonesborough in August, 1792. Collot, *Journey in North America*, 1: 105. Petition to make Boonesborough State Capital, August 30, 1792, Calk Family Collection: Series 2 – William Calk, 1758-1823, Box 2: Folder 20, KHS. *Kentucky Gazette*, January 19, 1793, 1.

[75] Journal of Mary Coburn Dewees, January 1788 (excerpt), in Ellen Eslinger, ed. *Running Mad for Kentucky: Frontier Travel Accounts* (Lexington: The University Press of Kentucky, 2004), 145. Thwaites, *Early Western Travels*, 203. Keturah Leitch account with John Fowler, March 30 – November 2, 1795. James Taylor Papers, Box 6: Folder 44, Filson Historical Society Special Collections, Louisville, Kentucky (hereafter FHS.)

[76] Aron, *How the West Was Lost*: 124-27.

[77] James P. Cousins, "Lexington's 'Established Order' and the Creation of Transylvania University," *Ohio Valley History* 10, no. 4 (2010): 3-5.

trustees had authority in erecting buildings, appointing professors, and administering funds, taking advantage of the tax exemptions on the total land grant of 20,000 acres. Alongside their positions as trustees, such prominent citizens were able to combine their duties with other significant social roles. Beyond political and civic roles, Levi Todd was elected as the first Master of Lexington's Masonic Lodge by his brother Robert and Caleb Wallace. As leading citizens, all three men also belonged to Lexington's Society for the Promotion of Useful Knowledge, a forum whereby the established order could discuss various 'enlightened' topics. Upon his arrival in the region, John Breckinridge also became active in the same institutions.[78] By assuming instrumental roles in the formation of educational institutions such as the Transylvania Seminary, Kentucky Academy, and Transylvania University and social clubs, the elites of Lexington were furthering an acceptance that they were best suited for positions of authority. Entertaining at home may have offered elites an opportunity to display their wealth and success, but such institutions allowed these men to limit participation among equals and provide for a hereditary succession of gentlemen 'trained' for authority.

While Lexington can be seen as an 'Athens of the West' by the end of the 1790s, with the *Kentucky Gazette* carrying frequent advertisements for book stores and the foundation of libraries, similar elite institutions were also present elsewhere in Kentucky. In Mason County, Franklin Academy was established with Alexander Orr and Thomas Marshall among the board of trustees, while Christopher Greenup, Harry Innes, and John Brown were instrumental in the formation of the 'Political Club' in Danville, south of Harrodsburg in 1786.[79] The club would later spread to other towns and counted numerous members of the region's elite as members. The creation of elite institutions throughout Kentucky, such as the 'Political Club,' helped to further define who was included as a member of the elites and who was not. Participation in such clubs and institutions was exclusive and legitimised a member of the elite based on the company he kept. Such exclusivity also dictated how members of the established order interacted with the wider hierarchy and further displayed the basis for their collective approval.[80]

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[78] Hening, *Statutes at Large*, 11: 282-87. James Trotter Lease Agreement, January 13, 1810, Colonel Thomas Hart Papers, 1767-1831, Box 1: Folder 1, UKSC. Cousins, "Lexington's 'Established Order'," 9-11. The same year that Transylvania Seminary was chartered, William Sudduth recalled that Lexington was without a 'shingle roofed house.' JDS interview with William Sudduth, DM12CC61-64.

[79] John Breckinridge, Thomas Hart, John Bradford, and Harry Toulmin were among those serving on a committee to establish a public library in Lexington in 1795. *Kentucky Gazette*, February 14, 1795, 4. Littell, *Statute Laws of Kentucky*, 1: 296-98.

[80] Thomas Speed, *The Political Club, Danville Kentucky, 1786-1790: Being an Account of an Early Kentucky Society from the Original Papers Recently Found* (Louisville, KY: J.P. Morton and Company,

Beyond education and political connections, distinguishing oneself through the quality of one's leisure past-times had a significant impact on how authority was understood and collective approval bestowed. Horse ownership was extensive in Kentucky, Fayette County's tax records for 1787 show that of the taxable males, 92 per cent owned at least one horse. By the mid-1790s Mason County's horse ownership was around 70 per cent.[81] Despite such high ownership, horse quality could demonstrate social standing, and how horses were used mattered. Arguably the quality of horse reflected the owner, and as with carriages, being seen on a fine horse denoted the success and standing of the rider or the family in the carriage. Outside of being seen, horses also gave members of the established order a chance to demonstrate their financial success through betting on horse races, something which many elites carried a heritage of from Virginia. By the 1780s efforts to improve the breed of racing horses in Kentucky were underway. 42 men in Fayette County owned stud horses by 1787 and the *Kentucky Gazette* carried frequent advertisements for thoroughbred stud horses throughout this period.[82] Such developments in horse-breeding and racing would further limit the extent to which non-elites could distinguish themselves alongside members of the established order. Breeding quality horses and gambling on them in races required capital that many Kentuckians could not afford to squander, at least not in the amounts expected of a gentleman. As with slaveholding and landownership, horse-breeding and racing can be understood as another arena in which members of the established order further distinguished themselves from others on the social hierarchy. Such understandings can be added to the criteria used to determine who held a legitimate claim to authority in the region and confer the necessary collective approval for such authority. By the end of the 1790s a change had taken place, as a wide-scale acceptance of such criteria as traditionally-held norms was ingrained throughout the social hierarchy.[83]

It is easy to assume that the instigation of infrastructure improvement through the last decades of the eighteenth century provided for high-quality routes and allowed

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1894). 25-41. Patricia Watlington, *The Partisan Spirit: Kentucky Politics, 1779-1792* (New York: Atheneum, 1972). 118.

[81] Fayette County Tax Assessment, 1787 (microfilm), KDLA. Mason County Tax Assessment, 1794 (microfilm), KDLA. Catriona Margaret Paul, "'...the Horsemen Got the Start': Horse Ownership and Advantage in Kentucky, 1770-1830" (PhD Thesis, University of Dundee, 2012), 56-57, 90-122.

[82] Fayette County Tax Assessment, 1787 (microfilm), KDLA. *Kentucky Gazette*, March 28, 1789, 1.

[83] Isaac, *Transformation of Virginia*: 53, 99-101. T.H. Breen, "Horses and Gentlemen: The Cultural Significance of Gambling among the Gentry of Virginia," *The William and Mary Quarterly* 34, no. 2 (1977). Aron, *How the West Was Lost*: 127. For a more detailed discussion of horse ownership in Kentucky, and how such ownership translated into ways for the elites to display their status and define a hierarchy see: Paul, "'...the Horsemen Got the Start'."

members of the elite smooth transportation in their coaches. However, while the first upgrades to the Maysville and Wilderness Roads represented a major improvement to what had existed previously, it cannot be forgotten that they were merely the first stage in wider improvements for the region. The process of road maintenance in late-eighteenth century Kentucky merely required the removal of rocks and tree roots and levelling a tree stump if possible. In short, road maintenance sought to make sure that the exiting surface was as smooth as possible. In order to pay for any maintenance and improvements turnpikes or toll-booths were erected along these routes, charging rates based on who was travelling and what they transported. Kentuckians would have to wait until the 1820s for the first roads which utilised a process of crushed rock and stone to form an artificial surface known as 'macadamisation.' In addition, the first large scale legislation for improving internal waterways and the Ohio River did not begin until the early nineteenth century. Therefore, understanding any improvements up to the 1790s as initial steps towards continuing improvement is important. This does not make any improvements to the infrastructure during the period any less significant.[84] The early forts and stations of Kentucky may have created cognitive landscapes and defined place for settlers, but they also attributed to a civilised/wilderness dynamic which adhered to frontier understandings of masculinity and authority. Travel between these areas of settlement was difficult to navigate, and even more hazardous when combined with the perceived Indian menace. Just as the spatial recognition of settlements reflected defensive concerns, travelling between these defensive strongholds provided the frontier Big Man with an opportunity to display his bravery and skill in the wilderness. As long as such travel routes remained ill-defined and the fear of Indian attack remained high, frontier Big Men such as Daniel Boone and Simon Kenton, could exploit the conditions to gain collective approval for their abilities and legitimise their social authority. However, such collective approval could only be achieved so long as these frontier conditions remained. By the end of the 1790s Daniel Boone was unable to make use of his former skills and abilities when it came to bidding for the contract to upgrade the Wilderness Road. Boone no longer had the necessary criteria to legitimise a position of social authority.

Seeking to improve the travel network and general infrastructure of the region merely furthered the acceptance of these norms as the basis for collective approval. By

[84] The process of 'macadamisation,' which created artificial road surfaces through the laying of crushed rock and stone, was named after the English engineer John MacAdam. These roads were designed to be much more durable to weather conditions and heavy traffic than their earthen predecessors. Collins and Collins, *Historical Sketches of Kentucky*, 1: 537-51. Friend, *Along The Maysville Road*: 253.

making road maintenance a civic requirement rather than a voluntary service, and providing exemptions based on slaveholding, the newly-established order codified the criteria needed to be considered 'elite.' Slave labour exempted the most prosperous men from participating in the construction and maintenance of the new roads, while the same roads allowed these men to display their success when travelling between estates and settlements. Upgraded roads allowed members of the elite to travel in fine carriages and on well-bred horses, looking down on anyone below them on the social hierarchy. Coach travel also allowed elites to remove themselves from interaction with subordinates while simultaneously declaring their authority with such visible symbols, further strengthened with legislation to improve the standard of inns and taverns along the roadways by the 1790s.[85] Beyond the legislation for road improvements during the late-eighteenth century, Kentucky elites furthered the acceptance of traditional norms in the region by attempting to imprint their genteel vision on the cognitive landscape. Brick mansions and estates bounded by stone walls, imprinted something more permanent on the landscape from the realm of the charismatic Big Man. The foundation of universities and political clubs allowed members of the established order to further remove themselves from unwanted social interaction, as well as provide for a sense of natural aristocracy. The establishments they founded prepared their sons for authority. Significantly, by the end of the eighteenth century the arena where the frontier Big Man could gain collective approval based on physical bravery and skill had eroded to such an extent that those remaining Big Men had to compete for legitimacy through traditionally-accepted criteria. This would create a situation whereby the only means to legitimately justify authority was to fulfil the criteria of the established order; only such criteria could provide the necessary collective approval for social authority and secure someone as a member of the established order.

[85] Littell, *Statute Laws of Kentucky*, 1: 194-98.

Conclusion

The Rise of the New Elite

The process of forming new communities in Kentucky during the 1770s diverged somewhat from many of the norms of community formation. Many of the social institutions which defined hierarchal status and authority in Virginia were not present in Kentucky. For the first years of settlement, the competing claims of Henderson's Transylvania Company and Virginia made it a difficult proposition to determine where the legal-rational legitimacy for office-holders and land claims lay. Due to the relative lack of social institutions and the seeming abundance of land, the criteria used to define authority in Virginia and elsewhere did not initially apply to Kentucky.[1] Authority could not readily be accepted principally on the basis of a man's landholding or property valuation. Manhood and elite status was not automatically equated with the freedom from manual labour which legitimised political participation. These traditional social norms did not apply to the immediate needs of the Kentucky settlements, and as such could not be regarded as customary norms. They could not confer the collective approval necessary to legitimise traditional authority. Such customary norms were relatively weak as they did not apply to the immediate needs of the settlers. Collective approval had to therefore be attained through different methods, particularly demonstrations of bravery and dramatic action.[2] As settlement pushed continually westwards through the eighteenth century a distinct hunting culture had begun to develop in the backcountry. Based on these developments collective approval increasingly reflected local needs. Frontier Big Men, who embodied the masculine ideal for their communities, gained legitimacy by demonstrating their abilities through hunting and dramatic acts of bravery. As such, they could inspire their communities and people believed in their abilities. Such collective approval legitimised the charismatic frontier Big Man where traditional social structures did not suffice.

Due to the immediate issues of settler defence and the threat of Indian attack, those with the ability to inspire the small number of settlers through demonstrations of skill and dramatic action could legitimately claim authority. Militia organisation reflected

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[1] Rhys Isaac, *The Transformation of Virginia, 1740-1790* (New York: W.W. Norton, 1988). 32, 43, 132.

[2] Craig Matheson, "Weber and the Classification of forms of Legitimacy," *The British Journal of Sociology* 38, no. 2 (1987): 213.

these community needs with frontier Big Men, such as Daniel Boone and James Harrod, gaining prominence as officers and challenging traditional social norms. Such men based their authority on an ability to inspire followers. This authority was further acknowledged in the initial formation of social institutions in Kentucky. The militia offered a prime example of social formation as it responded to the immediate needs of the communities and provided a focus for legal-rational legitimacy. The first militia commissions recognised the collective approval for charismatic Big Men in the appointments and provided legal-rational acknowledgment for such men. However, the legal-rational basis of the militia also provided a way for gentlemen officers to assert their legitimacy. The threat of Indian attack created a basis for the charismatic Big Man to found the legitimacy of a commission on the collective approval of the community. However, as external threats subsided the militia evolved into a civic institution which began to assert the social patterns and structures of Virginia, allowing the Virginian elite to impose authority on the western settlements. Public musters provided an opportunity to articulate and foster an acceptance of a gentry-dominated hierarchy.[3] The experience of the militia can also be seen in other elements of Kentucky's social institutions. The county formation which provided for a militia organisation also provided the legal-rational legitimacy for a number of other social institutions and allowed traditional authority to be reasserted in the region.

The process of county organisation in Kentucky created a more defined framework for establishing traditional expressions of authority among the population. Determining who was eligible to assume the political and civic offices such formation created, allowed an increasing number of elite migrants to stress the role of landholding in providing legitimacy for claims to authority. The contest for collective approval between gentlemen and Big Men would increasingly involve elite landholders and their use of dependents, and those pioneers who had gained the necessary landholding to claim personal independence. By maintaining the importance of landownership and property qualifications in the years prior to Kentucky's statehood, the legal-rational legislation forced Big Men and other pioneer settlers to adhere to traditional understandings to maintain authority. By monopolising the positions of authority by the 1790s this newly-established order secured their legitimacy by shaping how legal-rational was conferred and collective approval expressed.[4] County formation provided the necessary conditions to establish traditional

[3] Harry S. Laver, *Citizens More Than Soldiers: The Kentucky Militia and Society in the Early Republic* (Lincoln and London: University of Nebraska Press, 2007). 17.
[4] Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore and London: The Johns Hopkins University Press, 1996). 150-69.

authority as a legitimate expression of collective approval, and those recognised as part of their county elite defined their legitimacy through traditional concepts of land and property ownership.[5] With county formation providing clear definitions of where authority ultimately emanated from, the established order increasingly used the acceptance of traditional authority to shape the region in a way which demonstrated their 'natural aristocracy' by the end of the eighteenth century. Efforts to improve the road network in Kentucky further eroded avenues where Big Men could demonstrate their woodcraft, while the building of grand estates and academic institutions proclaimed visible demonstrations of hierarchy on this 'civilised' landscape. The social institutions which followed county formation allowed the gentry to gradually dictate where the legal-rational legitimacy for authority was vested. Ultimately this development, when combined with lessening external threats, would shape how collective approval was exercised by the community. By 1800 the frontier Big Man, while not excluded from authority, had to increasingly adhere to traditional concepts of authority in order to have his claim regarded as legitimate.

The Last Gasp of Pioneer Culture…

Max Weber defined legitimacy as emanating from the collective approval afforded to traditional, charismatic, or legal-rational forms of authority.[6] Peter Blau, taking Weber's definitions a step further, has asserted that such legitimacy can only arise among clearly defined social structures such as the political or civic organisations which frame a social hierarchy. The contest for collective approval waged between frontier Big Men and the established order in Kentucky took place within the establishment of such organisations.[7] In some respects there are important similarities between the charismatic Big Man and the traditional gentleman as they existed in worlds where true authority, and with it the masculine ideal, was a restricted status. The gentleman offered the pinnacle of a manliness built on landholding and the personal independence from manual labour which justified political participation. The Big Man, for his local community offered an ideal based around the demonstrations of bravery and skill associated with hunting and fighting Indians. Both forms of manhood contained specific tests and criteria that had to be achieved and both were a restricted status, not all men would achieve either ideal. However, ultimately traditional and charismatic leaders based their legitimacy on different concepts. Gentlemen

[5] Craig Thompson Friend, "Inheriting Eden: The Creation of Society and Community in Early Kentucky, 1792-1812" (PhD Thesis, University of Kentucky, 1995), 162, 80-85.
[6] Max Weber, *The Theory of Social and Economic Organisation*, trans. A.R. Henderson and Talcott Parsons (London: William Hodge and Company Ltd., 1947; repr., 1964). 328.
[7] Peter M. Blau, *Exchange and Power in Social Life* (New York: John Wiley & Sons, Inc., 1964). 211.

carried an expectation for authority based on a long-held acceptance of their ideal as a customary social norm. Collective approval was based on an acceptance of long-established norms. The charismatic Big Man, however, legitimised authority through demonstrations of ability which set him apart from contemporaries. Collective approval was based in his 'heroism' or 'exemplary qualities.' It is this divergence which can explain why so few Big Men, in particular Boone and Kenton, achieved lasting authority in Kentucky. Such charismatic authority is an inherently temporary force and can only remain legitimate where established social norms are weak or no longer suffice. Charismatic Big Men responded to the needs of the Kentucky settlements when social organisation was weak and the threat of attack high. As the legal-rational institutions which defined who ultimately conferred authority became more established, the need for charismatic leaders lessened and Big Men had to adhere to traditional social norms in order to legitimise authority. A few Big Men, most notably Robert Patterson and Benjamin Logan, managed to evolve and maintain social prominence but the majority faded from view. The conditions which set these men apart in the 1770s could no longer gain the necessary collective approval by 1800.

By identifying the processes which went into defining the norms necessary to legitimise authority in Kentucky the development of the region's hierarchy can be better understood, as can the interactions within this hierarchy. Adapting the traditional, charismatic, and legal-rational terminology for authority from Max Weber, allows for a clear division between understandings of how leadership and authority were claimed and accepted in the backcountry. What this serves is to tie leadership and authority to constructs of manhood and masculinity on a local level, and show that leaders are identified by a series of norms accepted by the collective. While legal-rational legitimacy is secured through official offices and institutions, during the 1770s these institutions evolved to reflect the needs of local communities, especially in the backcountry. This helps to explain why men such as Daniel Boone were able to secure leadership positions during Kentucky's early decades. Because social institutions were weakened through western expansion and needed to be reintroduced, settlers were better-able to place their faith in men whose abilities they believed in. When these legal-rational institutions were re-established, their hierarchy necessarily included those men who reflected the collective approval of their communities. As the region became more settled and the institutions for traditionally-established norms became more organised, collective approval evolved also. The collective approval for legitimising authority was therefore in flux, and provided the

reason as to why Boone and other frontier Big Men failed to maintain their prominence. The local concerns which secured charismatic authority in the 1770s and 1780s no longer had the same criteria by the 1790s. The fostering of the traditional criteria for status as an established norm by Kentucky elites changed how collective approval was secured, yet the lasting legacy of those changes was that legitimacy lay with a collective acceptance of these norms and not classical republican deference. Authority was legitimate so long as leaders fulfilled the criteria for such authority.

What makes Kentucky such an important region for study of this period is that the evolution of authority highlights the long-established local concerns regarding legitimacy which would gain national importance through the Revolution and Early Republic. The early development of Kentucky from approximately 1770 to 1800, demonstrates that genteel leaders had to foster an acceptance of their interpretation of hierarchy as a customary norm before their authority could be deemed legitimate. Therefore, regardless of whether authority and leadership was claimed through charismatic or traditional criteria, authority was not legitimate unless it was deemed to reflect local concerns.[8] The process of legitimising authority in Kentucky between 1770 and 1800, and how this process developed, is both a model for exploring what made authority legitimate in the Early Republic and a unique case. As Kentucky was the first western region to be settled amidst the backdrop of the wider revolutionary movement, the region can be regarded as a model for exploring how authority was legitimised and secured without the traditional concepts which governed hierarchy. As a model Kentucky offers an insight into the mechanisms which legitimised authority when traditional social structures were weak or absent. Kentucky offers a way to understand how authority was legitimised as an expression of collective approval and how the mechanisms for this approval evolved. The mechanisms for collective approval in Kentucky can be extrapolated to investigate social development and authority in surrounding areas during the eighteenth century, and especially during the first decades of the Early Republic with the need to secure collective approval through popular elections. Yet, arguing the importance of local concerns as a true reflection of legitimate authority highlights Kentucky's unique nature during the late-eighteenth century.

While Kentucky offers a model for how collective approval was secured in the late-eighteenth century in order to legitimise authority, by stressing the importance of local concerns for legitimacy it cannot be held entirely as a model for societal developments elsewhere. Because all collective approval is secured by reflecting local concerns, the

[8] Donald McIntosh, "Weber and Freud: On the Nature and Sources of Authority," *American Sociological Review* 35, no. 5 (1970): 910.

specific issues affecting settlers in Kentucky would not necessarily be the same as those affecting western Pennsylvania, North Carolina and Ohio for example. The conditions which provided for the charismatic frontier Big Man, and the process of establishing social institutions in new areas, would have to be investigated separately as collective approval reflected local requirements. The needs of Kentucky settlers would not necessarily be the same as those in western Pennsylvania, yet the leaders in both regions secured their legitimacy by responding to the concerns of their communities. Ultimately, while the mechanisms for conferring collective approval evolved over the course of settlement, by stressing that legitimate authority reflected local concerns argues that while the specific mechanisms may have been unique to each locality, the consequences were felt on a national scale. Those who sought to assume national leadership during the Early Republic were in a position to do so only because they had secured the collective approval of their communities first. Without a widespread belief that these men reflected the needs of their local communities, they would have not had the legitimacy to assume offices on a state and federal level. What the experience of social organisation in Kentucky during the late-eighteenth century shows is that regardless of the criteria used, no authority is legitimate if it does not reflect the collective approval of a community.

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